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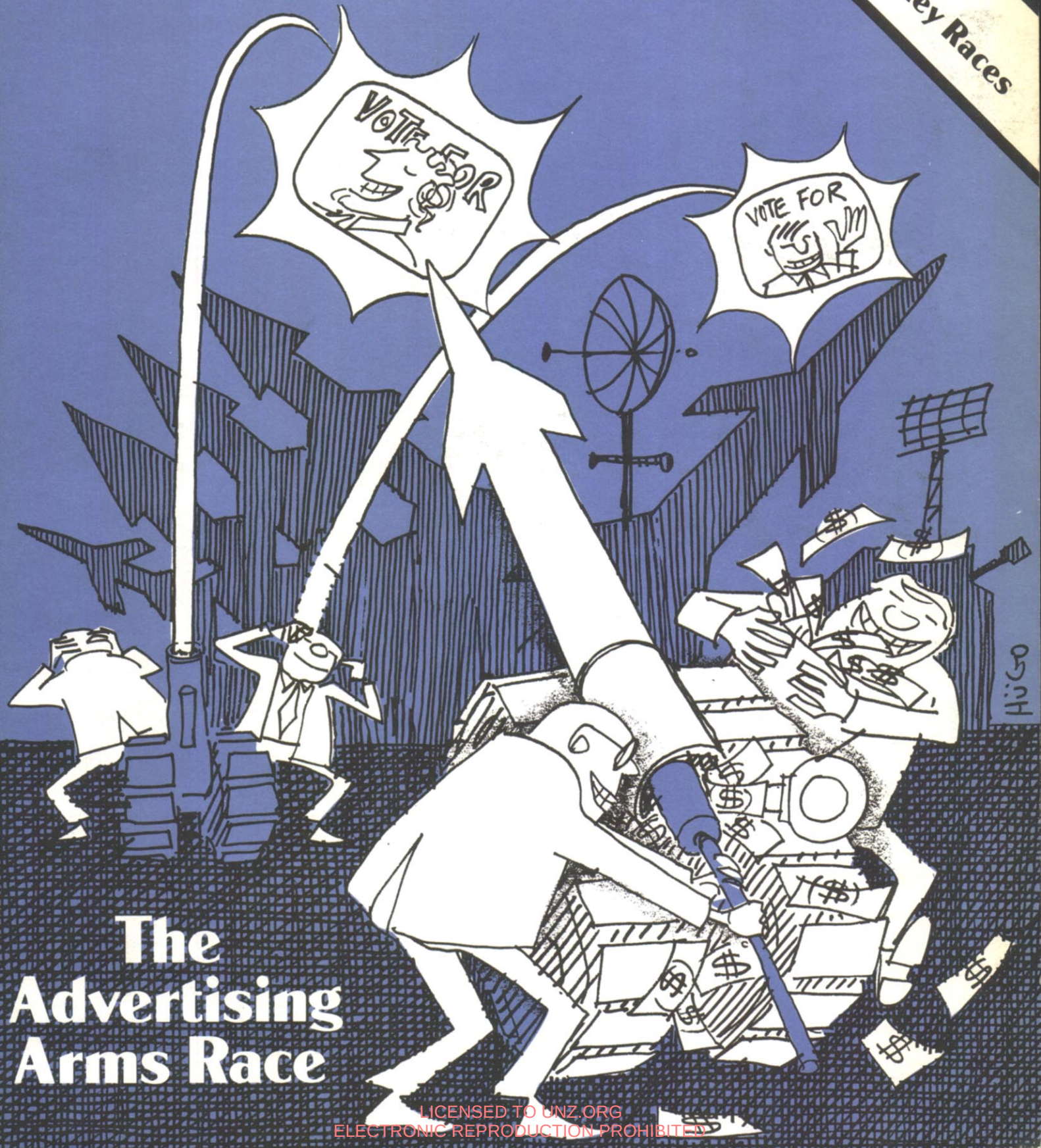
# California Journal

THE MONTHLY ANALYSIS OF STATE GOVERNMENT AND POLITICS

SPECIAL SECTION
**Propositions and Key Races**




## The Advertising Arms Race

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## Personal

# PERSPECTIVE

**By Ed Salzman**

### *McCarthy on center stage*

Remember those exciting years in Sacramento (1964-1966) when there was constant internecine warfare between the forces of rival Democratic potentates Pat Brown and Jesse Unruh? Californians will probably be treated to more of the same next year — regardless of the outcome of this November's gubernatorial election.

The Brown-Unruh conflict was both a personal struggle for power and a tug-of-war between the legislative and executive branches of government. Should Jerry Brown be re-elected, chances are excellent that the tense relationship that has existed between him and Democratic legislators will break into open combat more often than it already has. And if Republican Evelle Younger wins, he can hardly expect to get along well with a Democratic Legislature — especially if its leading Democrat expects to run against him in 1984.

It is no secret that Jerry Brown has few true friends in the Legislature. He has been fortunate that the most powerful member of the Legislature, Assembly Speaker Leo McCarthy, has seen fit to cooperate with him through most of his four-year term. But McCarthy declared his independence following the June primary election, and it appears that he is preparing to run for governor himself in four years.

If Brown wins re-election, he will be considered a lame duck, and that will hurt him. If he reactivates his presidential campaign, as he is expected to do, that will cost him support among those who would prefer that he concentrate on affairs of the state. But most of all, Brown needs cooperation from McCarthy, who apparently feels that it is no longer necessary to remain a team player.

Yet it is unlikely that a Jerry Brown-McCarthy conflict would rival the one that pitted Pat Brown against Jesse Unruh. Both the current Governor and McCarthy are much cooler cookies than Brown the elder and the current state treasurer, who fired away at each other with wild abandon.

McCarthy also would be the central figure if Younger wins in November. The speaker would immediately become an announced candidate for governor, and he could use his position in the Legislature to embarrass Younger and boost his own stock. Younger would have problems satisfying both the moderate and conservative elements of his own party within the Legislature, and there is no reason to believe he would forge alliances with the majority Democrats.

Ronald Reagan was reasonably successful with a Democratic Legislature, but that was mainly because he was pragmatic and was able to use his media talent and his popularity to repel attacks from the rival party. If Younger wins, it will not be because he is popular. Rather, it will be because Brown is unpopular. Younger isn't good at media politics, and he isn't likely to make friends among lawmakers on the strength of his personality.

The significance of these potential conflicts — and they are not all bad — should not be taken lightly. It is the delicate balancing act between the two branches of government that decides such mundane matters as how much Californians will pay in taxes each year.


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THE MONTHLY ANALYSIS
OF STATE GOVERNMENT AND POLITICS

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**All in fun,** of course, the *Sacramento Bee's* Sunday "NewScope" twitted us about last month's article identifying the 15 top lobbyists in Sacramento (as selected by legislators). The item reported that some lobbyists were running around with bruised egos because they didn't make the list. And the title on the item said, among other things: "We ain't rating your stinking magazine anywhere near the top 15 either." As it turned out, the item offended six or seven *Bee* readers, who protested to the newspaper's ombudsman, Thor Severson, that we had been treated unfairly. We don't agree. All in fun, of course, we notified "NewScope" writer John Berthelsen that we had taken another poll and he was rated among the top 15 reporters in the *Bee* Capitol bureau. (There are eight reporters on the Capitol staff.)

**The latest** from artist-comedian Lowell Darling, who finished ninth and last among Democratic candidates for governor in June: He's taken his campaign to Oregon, claiming that "California politics is too important for Californians."

**Gil Bailey,** long-time environmental and political writer for various California newspapers (Oakland, Richmond, San Jose and Long Beach among them), has made good his long-sought escape from Washington, D.C. Starting this month, he'll be dodging the raindrops in Seattle.

**How many women** are there apt to be in the Legislature next year? The Senate will have two — holdover Rose Vuich and newcomer Diane Edith Watson. The Assembly will have at least seven — Democrats Leona Egeland, Teresa Hughes, Maxine Waters and Gwen Moore, and Republicans Carol Hallett, Marilyn Ryan and Marian Bergeson. Democrat Sally Tanner is a good bet. Other reasonable possibilities (in about this order): Cindy Wear, Doris Allen, Sandy Baldonado, Jean Moorhead

**This may be remembered** as the year in which the Libertarian Party came alive in California. The party's gubernatorial candidate, Ed Clark, has emerged as the major among minor candidates.

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# THE ADVERTISING ARMS RACE

*California politics now relies heavily on plastic ammunition, fired by campaign managers at the electorate through the television tube. Whatever happened to face-to-face contact between the candidate and the voter?*

By MICHELE WILLENS

The advertising arms race is on — bigger, costlier, nastier than ever. The political commercial has become the weapon most often fired by most candidates. And while campaign strategists purport to be concerned about the increasing power of the political commercial, few are proposing, or practicing, disarmament.

This season, the ads take on added importance because so little else is being done to familiarize California voters with the candidates. Statewide, prime-time debates have been denied the voters thus far. Lesser races don't get the attention they need. Candidates say it's impossible to get around the whole state and they prefer not to try.

So the campaigns are relying more than ever on political advertising. For 30 seconds on television and radio, the candidates can say what they want, unchallenged, to millions of viewers or listeners. They can attack, defend, even distort the facts. They can look their very best, never showing a blemish or a stumble. After all, there's always Take 2. Or 3. Or however many takes are needed for the candidate to say it right.

The logic behind the escalation of the ad race is simple: "If we don't do it, they will." So virtually every major campaign now spends most of its time and energy raising money and the bulk of the money goes to advertising.

Not only are the ads growing costlier — slick ones can cost up to $10,000 to produce and up to $5,400 to place in prime time — they are also starting earlier. In 1974, Jerry Brown began his advertising in September. Opponent Houston Flournoy started his in mid-October. This year incumbent Brown was advertising heavily over the radio during August, and so was his challenger, Evelle Younger.

But the real barrage will come this month, when Californians will hardly be able to turn on a radio or TV set without getting an earful of the mega-media campaigns of '78.

This has already been a heavy season for radio ads, but as election day nears, it will be TV advertising that takes over.

*Michele Willens, a free-lance writer in Los Angeles, is a frequent contributor to the* Journal.

Campaign strategists are well aware that just about every household has at least one television set, and that it's turned on more than off. And that minds already flowing with Laverne and Shirley can be grabbed by Evelle and Jerry if the ads are done right.

"Right" to political advertisers means more interesting, more stylish, more fun. Rarely will a candidate be seen, this season, sitting atop his or her desk and talking about law and order. Just as TV programmers and news managers have decided their viewers like action, so have the political advertisers. Many of the commercials being prepared do not even appear to be politically oriented, until the tag line.

### Skits and plain folks

Dramatizations are the latest trend in political ads, especially for proposition issues. These involve little skits that try to show an issue rather than explain it. Commercials using "just plain folks" to endorse a candidate are also popular these days as a means of vitalizing a dull candidate.

With all political ads, the goal is to find a "hook" for viewers to remember. The way they think of Ricardo Montalban when someone says "Cordoba." The idea is that even if viewers don't like the ads, they'll remember them. During the primary, an Yvonne Burke ad showed her in a policeman's uniform. People talked about how little they liked the ad. But that's the point: They talked about it. Apparently, few of them remembered Burt Pines sitting at his desk in his suit and tie.

The Proposition 13 ads — for and against — demonstrated the old and new of political advertising. Opponents attempted to explain why 13 wouldn't work and why the Behr measure would. Their figures were confusing and dully presented. The supporters of 13 stuck to simple hooks, such as "Let's show the politicians who's boss." The most effective ad was, ironically, the simplest: Its hook lay in its "star."

"The one thing we weren't sure we had in the campaign was credibility," says Arnold Forde of the Butcher Forde campaign management firm in Orange County. "So to get it, we asked Milton Friedman to do a spot for us. It was just him standing there for 30 seconds." As colorless as the ad


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was, the idea of a noted economist plugging Jarvis' baby was too good to forget.

### The tipping balance

Political advertising has been part of the campaign scene for a long time, a useful supplement to speech-making and personal voter contact. But many observers are now concerned that the balance is tipping, and there's more advertising being done than real campaigning. Another concern is that so many ads deal with what an opponent has or hasn't done, with little attempt to explain a candidate's own positions. In one sense, advertising has become the neutron bomb of California politics: It attempts to destroy people (opponents) while leaving things (positions on issues) untouched.

Lieutenant Governor Mervyn Dymally talks about how nice it would be if California politicians led the way back to the days of "pressing flesh" rather than filling the airwaves with pat, self-serving messages. But it's hard to imagine the advertising arms race slowing down. All political participants may agree it's a good idea — but they'd like their opponents to try it first.

# TOURING THE MEDIA BATTLE ZONES:

## Brown–Younger

The ad war for governor started in August, mostly on radio. This was unusually early for any campaign, particularly one in which both candidates are well known. In 1974, Jerry Brown criticized the packaging of politicians, but he spent around a million dollars on TV advertising. In 1978, he will spend well over that on TV advertising in the general election alone.

"We don't want this to be a battle of 30-second spots," says Brown campaign manager Gray Davis. He asserts that the Brown campaign tried to put a lid on the amount spent on advertising — a tactic commonly used by incumbents. Younger, as expected, said no. His campaign has pledged to spend about $1.5 million for advertising. And, in common arms-race fashion, Davis answers: "We'll have no choice but to launch a comparable campaign."

The hot radio war between Younger and Brown began with the Younger forces trying to draw attention to Brown's sudden love affair with Proposition 13. Says Younger ad man Arnold Steinberg: "We did surveys which showed people were skeptical about Brown on taxes. We wanted to capitalize on that skepticism. It wasn't important whether he was now for or against Prop. 13. We wanted the flip-flop to get across."

Steinberg used dramatizations to emphasize the "flip-flopping" in his radio ads. The "old Jerry Brown" talked to the "new Jerry Brown," before and after the election. The "old" talked about having to raise taxes if 13 passed; the "new" proposed ways of lowering taxes and then discovered a hefty state surplus.

To counter this first strike effort, the Brown side quickly launched some missiles of its own. Younger's several pensions, a recent trip to Hawaii and showers in his office became the themes of a number of radio ads. Hawaiian music played in the background.

"I don't see it as negative," Gray Davis says. "Those ads were drawn from facts and we were drawing attention to certain aspects. Younger's making no conscious effort to publish his record, so it falls to us to do it."

Are showers, hukilaus and pensions part of a record? "How can you call for fiscal restraint if you lavish tax money on yourself?" Davis responds.

"That was a negative phase," says Younger's man Steinberg. "We tried to stick to the issues, even if in a negative way. But theirs was a negative campaign in a personal way."

The Brown staff says it is determined to focus attention on the Governor's accomplishments in future ads. Fiscal responsibility and trend-setting initiative will be two key themes. The ads will be a "team effort" involving Gray Davis and media whiz Tom Quinn, supervised by Mike Kay, who has become California's golden boy of political commercials.

Why so much advertising for an incumbent? "Essentially, this election is a referendum on Brown," says Gray Davis. "I don't think paid media should be in the minds of the voters, but we can't sit back and take that gamble. You've got to keep up with the Joneses."

The Younger forces say they will get into what Younger would do as governor, but their ads will also do a lot of attacking.

"One theme will be that Brown has shown contempt for people," says Steinberg. He claims he is not worried about dressing up Younger's dull image: "That image may be an advantage for us. The (voter) expectations are so low that anything he does will be better than people expected."

## Burke–Deukmejian

This is another ad campaign sure to get hot and heavy. The Burke campaign for attorney general plans to spend half a million dollars, and to emphasize the candidate's double experience in Washington and Sacramento. The ads also will stress her belief that the AG's role is more than that of a glorified cop. Mike Kay is advising the


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Congresswoman on media tactics.

The Deukmejian campaign also plans to spend about half a million dollars on TV advertising. Campaign manager Bill Roberts' own firm, the Dolphin Group, is doing the ads. "We won't indulge in personalities," says Roberts, adding that the Deukmejian message will carry a tough law-and-order tone.

The Burke campaign is skeptical that Roberts' promise will hold. "We want to run a positive campaign," says Mike Kay, "but he won't let us. If he goes after her, we can fight back."

Roberts says the Burke ads will do some talking about the opponent, "but mostly about her liberalism and her voting record as it applies to this race. Whatever losses she'll suffer for being a woman or a Black are not the questions."

## Dymally–Curb

The race for lieutenant governor will probably be the acid test of the importance of advertising. Incumbent Mervyn Dymally is determined to win without heavy ad investments, despite the fact that Curb will probably spend close to a million dollars showing his youthful face to California. The Dymally campaign will buy only radio time for the last few weeks of the campaign. His advisers feel television is too costly and also the wrong way to get Dymally's ideas across.

"This is a low-financed, grass-roots campaign," says Dymally campaign manager Patty Lotspeich. "We still believe in meeting the folks and touching flesh. Our candidate is going to every county. You can still do it if you want. We should all go back to the old days of getting to know the people."

Curb campaign executive Jack Courtemanche disagrees: "You can travel all day and maybe reach a few thousand people. We do one ad at 5:25 and reach more than a million."

The Mike Curb ads are being prepared by Palisades Communications. They began on the Labor Day weekend and emphasize the business experience that made Curb a millionaire before he was 30 years old. Courtemanche denies that Curb is advertising more than he is campaigning, but the two candidates' approaches provide an interesting contrast.

## Propositions 5 and 6

Two propositions on November's ballot are spawning active advertising campaigns. Opposing Proposition 5, the smoking initiative, will be the San Francisco political firm of Woodward and McDowell. It is prepared to spend several million dollars to defeat the measure, much of that money coming from the tobacco industry.

The Yes on 5 side — seeking to outlaw smoking in virtually all work places and enclosed facilities open to the public — is a coalition calling itself Californians for Clean Indoor Air. Its ads feature celebrities like actors Charleton Heston and Gregory Peck. But money is a problem and the campaign will be lucky to get half a million dollars for ads. Early radio messages appealed to the listeners' sympathies: "Listen closely; you may not hear this ad again. We can't afford to . . ."

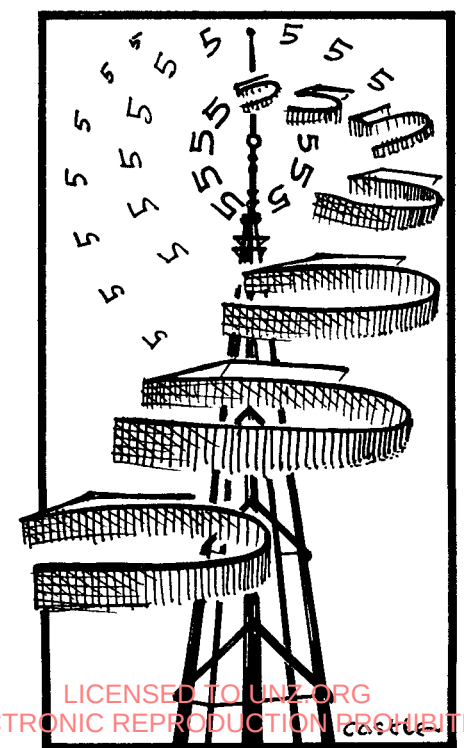
The opponents are relying heavily on dramatizations. "We're against talking heads," says Jack McDowell. "You have to get people's attention. Our goal is to tell people what's in this law by acting out its various contradictions."

McDowell cites parts of the law which say it's okay to smoke at rock concerts but not at jazz concerts, at roller derbies but not at other sporting events, and so on. A typical ad involves a policeman who is confused about where and when he can cite a smoker.

Although they have less money, proponents are hitting hard on the "clean air" features of the law. How can anyone vote against clean air?

The opposition emphasizes smokers' rights and also leans on another idea: Any new measure costs money, and who wants more bureaucracy these days? Some anti-5 ads deal only with such pitches and never mention smoking.

Even trickier to handle in the media is Proposition 6, the "gay teachers initiative." The Yes-on-6 campaign, led by state Senator John Briggs, says it intends to focus on the rights of students. The No-on-6 committee will seek to play down the homosexual issue and will talk instead about invasion of privacy and the extra cost of enforcing a new law. Briggs hopes to spend $100,000 on advertising and may bring in out-of-state advisers to construct ads similar to those used by Anita Bryant in her Dade County, Florida, campaign.



"The main thrust will be that we have to start speaking up for the children," says Briggs. "We're not against gay people."

Rumor has it that some of the same ads used in Dade County will be used in California. One shows an obviously gay male teacher dismissing his young students. Then, while the camera focuses on one handsome young boy, the teacher says: "Oh, Johnny, I'd like you to stay after class."

Another tactic used in Dade County was emphasis on murder cases involving homosexuals. "There's no doubt that the greatest mass murders have all been by homosexuals," says Briggs. "But we want to do our ads in a positive way."

Mike Levitt, head of the No-on-6 committee, says he'd like to spend close to a million dollars on advertising. He's hoping to get some advertising professionals to contribute their services free of charge. Themes aren't easy to pinpoint for the opponents. Ads can hardly ask: "If I'm bi-sexual, can I teach part-time?" The campaign staff feels it's better to ignore the gay issue as much as possible.

"We won't attempt to deal with Briggs' fear statements," says Levitt. "We have legitimate issues, like how this law would affect straight teachers. If they even advocate gay rights, they can be fired, too. And we'll be talking about the massive invasion of privacy. And it will be expensive to create a new bureaucracy. Mostly, we'd like to find a way to show that this law is absolutely unnecessary because there isn't a problem with teachers who happen to be homosexuals."

## Rose Bird

Even a sitting chief justice of the state Supreme Court is the target of a heavy ad campaign. Rose Elizabeth Bird's name will be on the ballot for confirmation, and state Senator H. L. Richardson's Law and Order Campaign Committee is prepared to spend a million dollars to persuade Californians to vote no. If the money can be raised through direct mail, much of it will go into advertising. The anti-Bird forces will emphasize her lack of prior judicial experience and what they consider "soft-on-crime" judicial decisions.

*M. W.*



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# Do campaign managers belong in the advertising business?

*Bud Arnold is one of California's most experienced and respected political advertising specialists. In the following article, he tells why he is tempted to abandon politics and restrict the activities of the company he heads, The Maxwell Arnold Agency, to commercial accounts.*

By MAXWELL (BUD) ARNOLD

My professional involvement with politics goes back almost 20 years, and I think I'm ready to get out. I'd rather not, but I don't find much room anymore for what I do — in politics, or in the Democratic Party, which is where I have done most of my work and most of my voting.

Starting with the John F. Kennedy campaign in 1960, when I was creative head of the national advertising campaign, I have done the media in 35 political contests — national, state, city, county, congressional. We were on the winning side in 26 of them. In all of them my company and I have tried to be faithful to a belief that a media campaign doesn't have to be misleading, or dishonest, or dull, or negative, or ineffective, or wasteful, or tasteless, or foolish, or incompetent, or slick, or contemptuous, or contrived, or — in other words, it doesn't have to be like most other advertising. The truth is that there really are some people in advertising who try to do work that is intelligent, responsible, honest, original, civilized and creative, with substantial evidence that this works as well as or even better than advertising that is not.

But this is becoming more and more difficult to do in political advertising, and the reason is that, more and more, campaign management is taking over the media side of politics and making it almost impossible for the media people to be effective in a campaign.

### Basic conflicts

What's wrong with this? Why don't I like it? Why can't I stand it? And why have I decided I ought to get out of politics because of it? There are many things wrong with campaign management taking over the media, whether it is by a single campaign manager or a campaign management firm.

- *There is a conflict of objectives.* In addition to campaign organization, management should be concerned with campaign issues and strategy; media people should be concerned with the creative interpretation and communication of issues and strategy.
- *There is a conflict of interest.* Campaign management should not be in a position to make money on the creation, production and placement of the media.
- *There is a conflict of talent.* Campaign management people are usually lawyers, businessmen, technicians, strategists. They are seldom creative. They are not professional writers, directors, artists or producers. They are amateurs — of the most dangerous kind. They think there's nothing to it. Anyone can write an ad or a slogan. Anyone can think up a TV spot. Anyone can direct, or look through a lens, or edit film and tape. Besides, it's more fun. Some campaign managers would rather be off on a shoot, as they have learned to say, or in a studio, or on location with a Hollywood crew — anything instead of working the precincts. (Hooray for Hollywood! Many a campaign manager has "gone Hollywood," the worst thing that can happen to anybody. And here in California, the more Los Angeles becomes the money, power and population base of the state, the more we will all be "going Hollywood" one way or another.)
- *Conflict of relationships.* When campaign management takes over media, it keeps someone like me away from the candidate — and that is just the opposite of what I need to do a good job. There should be a direct and intimate relationship between the candidate and the people who need to know what the candidate thinks, feels, talks like, acts

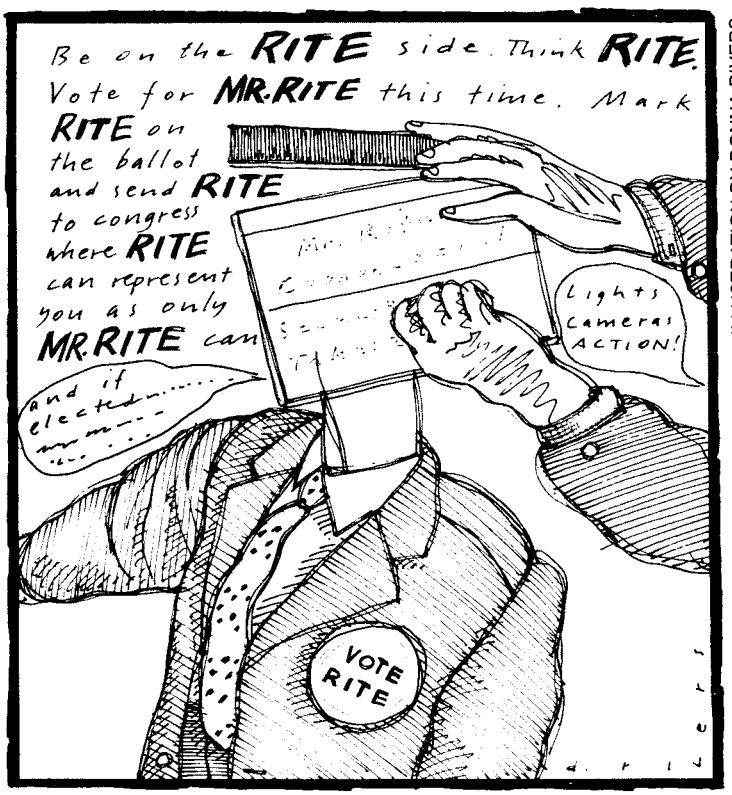
Be on the RITE side. Think RITE.
Vote for MR. RITE this time. Mark RITE on the ballot and send RITE to congress where RITE can represent you as only MR. RITE can
and if elected...
Lights Cameras ACTION!
VOTE RITE

ILLUSTRATION BY DONNA RIVERS



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like, looks like, what makes the candidate tick.

• *There is a conflict of values.* Campaign management tends to neglect quality for quantity.

### What is needed

A company like mine is skilled and trained to conceive, prepare and produce the candidate's message, and to place that message in the media, with professional independence and objectivity. That's what I think campaign management needs from us. And what we need from campaign management are answers to these questions: Where are your votes? Where is your strength? What are your natural constituencies? What is your campaign plan? What are the issues? How are you going to put your victory together? What we need from a candidate are answers to these: What kind of person are you? What do you believe in? Why do you want to be elected? Why should you be elected? And what are you willing to fight for whether you win or lose?

But it's getting hopeless. Campaign managers don't want to talk about strategy; they want to talk about camera angles. They don't want to talk about issues or the candidate's virtues or philosophy or his prime interests; they want to talk about prime time. In fact, they hardly want to talk about the candidate at all or even have the candidate around. They want the candidate to stay in the other room, on the phone, raising money.

It's interesting how campaign managers tend to be negative about their candidates. Just as someone once said that no man is a hero to his own valet, so no candidate is a hero to his own campaign manager. This attitude is never more evident than when planning TV spots. The campaign manager will say: "Don't bother the candidate with the script. I'll handle it. I'll handle *him.* I don't even want him to see it. Keep him out of the meeting. Stay away from him. I'll decide. Keep him on the phone. Let him raise the money . . ."

### Ends and means

A little knowledge is always a dangerous thing. It doesn't take long for the youngest and greenest of campaign managers to think he knows what a 30-second political TV spot is all about. I was recently asked to give my opinion of a voice-over spot written, directed and produced by the campaign manager himself. I said I was sorry but, because of the way the spot was shot and directed, the candidate looked terrible. The candidate happened to be an intelligent, sensitive, compassionate, and highly capable office-holder. Instead, the spot made him look uncertain, uneasy, unfortunate and even unpleasant — and I said so. The answer from the campaign manager was, "But we're trying to build name recognition and that spot mentions the candidate's name six times."

Another thing that troubles me is that today's new, young campaign managers are too power-hungry for their own good, and for the good of the candidate. They tell me their only objective is to win, but if that is the only objective — if, in other words, the ends justify the means — then what was wrong with Nixon? This attitude dehumanizes and desensitizes a candidate, and if it infects the campaign message, it will present the candidate unfavorably in the only exposure most voters get: on television. The candidate will not come across as someone who believes in something, or cares about people, or has any understanding of people. Instead, he comes across as a cold, tough, firm, strict professional.

In a Democratic campaign, this can be particularly disturbing, at least to an old New Dealer like me. I'm concerned about Democratic candidates who try to outconservative the conservatives. And I'm concerned about Democratic candidates failing to communicate with the large number of Democrats who still consider themselves liberal. I don't know how many times in recent years I've been told this by campaign managers: "Stop worrying about those knee-jerk liberals."

When I was working on the Kennedy campaign in 1960, I ran across a speech made by a famous Democrat at the 1952 national convention. Some of these words say more to me about the Democratic Party than anything I have seen or heard since. They tell us, I think, what has gone wrong with our politics, our candidates and our country, because we don't seem to live by words like these anymore. And it may be surprising that these words do not come from some intellectual, or bleeding heart, or knee-jerk liberal, as they say. They come from an old Texas Democrat — Sam Rayburn:

". . . I do not say that the Democratic Party is all-wise. I do not say that it is all-knowing. I do not say that it is all-holy. Yet I do say the Democratic Party is merciful, it is humane, it is compassionate. If it should ever cease to possess these qualities, it would cease to be the Democratic Party, and ought to be condemned to oblivion.

". . . As every man is the sum total of his inheritance, environment and experience, so are political parties. Some men will instinctively oppose injustice, whether or not it directly concerns them. Some men are selfless and some are selfish . . . And in every case, when the chips are down, they will behave according to the laws of their inner nature.

"All this is a matter of heart. The Democratic Party may not always have been wise, but it has always had a good heart. And when a man or a political party has a good heart, you know that he or it will never let you down.

"An underdog in my youth on a back-country Texas farm, the absorbing interest of my life has been underdogs. That is why, when I go home to my little town of Bonham, Texas, and see farmers' cars parked in the courthouse square, while the men visit their friends and the women shop, my heart is gladdened.

"For when I was a child and lived way out in the country, I'd sit on the fence on Sundays and wish to God that somebody would ride by on a horse or drive by in a buggy — just anything to relieve my loneliness. Loneliness consumes people. That's why I'm glad to see farmers have cars. That's why I want America's children of today and tomorrow to have a more plenteous and joyful childhood than I had. That's one of the reasons why I've been a lifelong Democrat.

"The Democrat Party looks upon man, not as a statistic, but as a spiritual being; a living, pulsing, willing, hoping creature of flesh and blood. It regards neighborliness as next to godliness. For my neighbor comforts me in my distress and he shares his bread with me and he takes me by the hand when I am lost in the wilderness."

### Final advice

I'd like to see our party and our candidates live by words like that again — merciful, humane, compassionate, selfless, neighborly. And I want to see that in our campaigns again, to hear it and feel it, whether it's in a 30-minute speech or a 30-second spot. And if our tough, hard-nosed, hard-headed, hard-ball campaign management people don't like that, well, the only thing I can say to them is to go on doing the only thing they seem to care about anymore — deciding whether to cut or dissolve, dolly in or dolly out, pan up, down or across, or fade in or fade out.

As for me, I feel like checking out, with some final advice to candidates:

1. Hire a good campaign manager.
2. Tell your campaign manager to recommend two or three good media outfits, and then *you* hire the one that seems best for both *you* and your campaign manager.
3. Maintain a close working relationship with both your campaign manager and your media people — and don't ever, ever let either side get between you and the other. You need them both, and both should never be the same.



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# Campaign '78: the year the boos drown out the cheers

*By Ed Salzman*

Warning to California retailers: There could be a run on clothespins the first few days of November. More voters than ever before will probably be entering voting booths on November 7th holding their noses.

There is nothing unusual about a citizen choosing between the lesser of two evils on election day. But this year there will be hardly anyone casting a ballot for governor (as well as for some other offices) with a feeling of satisfaction. The elections of 1978 are being conducted at a time when the public is indicating a general distrust and dislike for politics and politicians. The most important negative factor in 1978, though, is the fact that neither of the major-party gubernatorial candidates has established a foundation of good will with the voters.

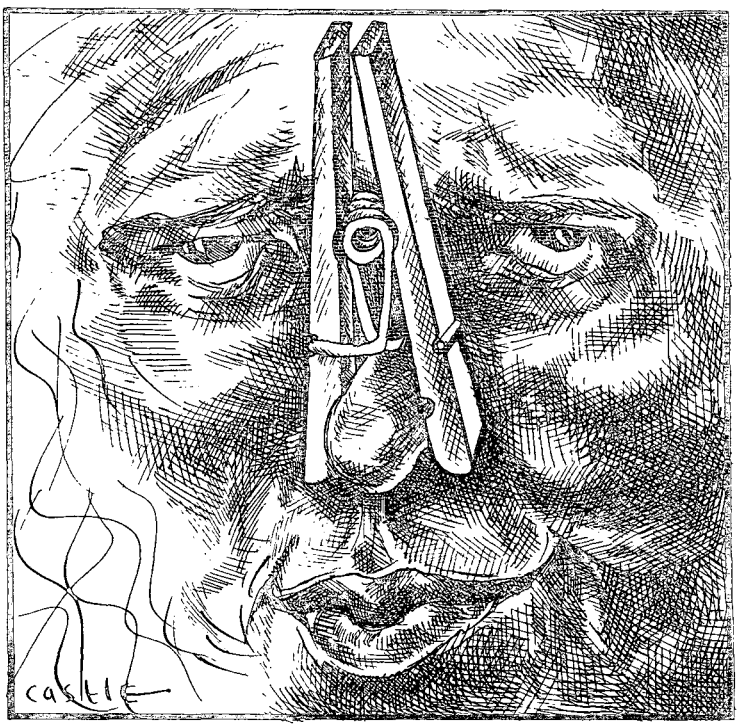
Pollster Mervin Field says his research indicates that voters will face a "Hobson's choice" between Governor Jerry Brown and Attorney General Evelle J. Younger — at least that is the view of those interviewed by Field's survey teams. Field said Californians were given lists of positive and negative statements about Brown and Younger. There is a definite predominance of negative feeling about both candidates, he reported.

It is probably fortunate for both Brown and Younger that Ed Clark, the Libertarian party candidate, doesn't have a couple of million dollars to spend this year. Clark, a 47-year-old Los Angeles attorney, qualified for the ballot as an independent by collecting 115,000 valid signatures on petitions. California voters might be attracted to a true non-politician with a platform that would probably be appealing in this anti-government era. The Libertarian platform appeals to both conservatives and liberals because it calls for minimal government intervention in private lives, whether through taxation or restrictions on individual freedom.

### No warm feelings

But when most Californians cast their ballots on November 7th, they will realize that the real choice is between Brown and Younger. They have seen both candidates employ the tactic of personal assault in the early weeks of the campaign the result has been degrading to both the victim and the attacker. They have seen negotiations for face-to-face debate fall apart, mainly through the Younger camp's reluctance to engage in verbal warfare. They have seen the Governor change his stance rapidly on the biggest issue of the day — Proposition 13 and all its implications. They have seen Younger make slightly more subtle changes of position in an effort to improve his political standing. They have seen Younger try to make hay out of the supercharged Los Angeles school busing controversy. They have seen an escalation of media spending, which takes the candidates farther from the people and makes the 30-second television spot and the 60-second radio commercial the main instruments of the campaign. In short, they have seen little to give them a warm feeling about either candidate.

The candidates themselves realized that mud-slinging was a threat to both their images. In early September, they entered into a "fair-campaign agreement" requiring the two sides to furnish each other with copies of news releases and advertisements and to abstain from misrepresentations and espionage. A four-member arbitration panel was established with the power to order each campaign to "cease and desist" from improper activities. The unprecedented arbitration panel was selected by both sides naming representatives from the opposing political parties. Those placed on the panel are Sheriff Peter Pitchess of Los Angeles County, former Assemblyman Walter Karabian of Los Angeles, former Chief Justice Donald Wright of the state Supreme Court, and former Democratic National Committeeman Paul Ziffren. Wright and Pitchess, Republicans, were among five names suggested by the Brown campaign. Karabian and Ziffren, Democrats, were nominated by the Younger camp. Did the agreement end the mud-slinging? Hardly. In fact, it may have encouraged some of the wilder charges, by giving the appeals to the arbitration panel a great deal of publicity. At least that trend emerged



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in the first few days following the signing of the pact.

This is an especially galling campaign year for those who invest the most in California politics: the liberal Democrats and conservative Republicans. Brown has moved so far to the right, especially on economic issues, that he has angered many liberals. The Southern California Americans for Democratic Action have castigated him. The California State Employees Association has declined to endorse him. Yet, members of those and other organizations can hardly be expected to support the Republican nominee in great numbers. Younger has never been the darling of the conservatives, and his efforts to court labor have not helped him. He supported Gerald Ford against Ronald Reagan two years ago, and conservative elephants have long memories. The polls indicate some GOP defections from Younger to Brown.

If Brown is re-elected, it will probably be because he outsmarted Younger in the days following the passage of Proposition 13 in June. Brown at that time acted as though the Jarvis-Gann initiative were his offspring, and he worked well with the Legislature — and with the media — to show the public that he was doing everything he could to meet the mandate of the people. Younger made the perhaps-fatal error of deciding that he was entitled to a post-primary vacation in Hawaii. The most humorous of the early radio commercials, bought by the Brown campaign, described Brown working hard to solve Proposition 13 problems while . . . and the Hawaiian music takes over the airwaves.

If Younger is to win the election, it will have to be done in the final weeks of the campaign. From the start most analysts felt that Younger could not win the election but that Brown could lose it. According to the Field poll, the race was close enough so that any significant error by Brown — perhaps a misplaced word on busing in Los Angeles — or a particularly clever series of anti-Brown commercials by Younger could produce a victory for the Republican.

What is the outlook for the Brown-Younger race, based on the polls? Both the *Los Angeles Times* and Mervin Field's California Poll shows Brown ahead in the first post-primary surveys. But there was substantial disagreement between the two. The *Times* had Brown 15 points ahead, 50 to 35, with a significant 4 percent planning to vote for a minor-party candidate and 11 percent undecided. Field found Brown only five points ahead, 46 to 41, with the same 11 percent undecided and only 2 percent planning to support Libertarian Clark or one of the other two candidates, American Independent Theresa Dietrich or Peace and Freedom's Marilyn Seals. A *Sacramento Bee* poll showed that both Brown and Younger were losing popularity but that the Governor held a substantial 44-31 lead. The undecided vote rose dramatically to 25 percent from a previous mark of 11 percent.

### Dead in the water

While these figures might show Brown with a significant lead, they also show that Younger has a chance to win. Neither poll showed Brown over 50 percent. The California Poll indicated that Brown had not picked up a substantial number of supporters since the primary; he widened his lead because Younger was losing ground. The *Times* poll also showed Brown dead in the water, with Younger losing. What this probably means is that Brown's attacks on Younger apparently hit home harder than the challenger's efforts. Younger's radio blitz was designed to paint the Governor as a political chameleon and a wild spender disguised as a penny pincher.

Brown blew a much larger lead four years ago and barely nosed out Republican Houston I. Flournoy. This year, he has less margin with which to work. Both camps watch polls, public and private, much more closely than they are willing to admit. Both will have plenty of money to throw into television commercials. As the race gets near the wire, we could well have a resumption of the mud-slinging that marred the early weeks of the campaign. If that's the case, California voters may go to the polls with two clothespins on their noses — one for each candidate.

### The rest of the ballot

How do the rest of the statewide races look as the campaign enters the final weeks? This may be the year when the most important item on the ballot is one that normally gets virtually no attention — the vote on whether a chief justice of the state Supreme Court should be given a 12-year term in office. Two organizations are attempting to convince voters that Rose Elizabeth Bird is either unqualified for the office or too liberal to be handing down vital high-court decisions. Writing in *Esquire* magazine, Richard Reeves warned that the result of a Bird defeat could be the establishment of a court system subservient to the roar of the masses. "The Bird referendum is the most important election in the country this year," he wrote.

Bird's fortunes at the polls may be intertwined with those of Governor Brown. But more likely voters will react to the recent actions of the court. Bird was hurt by the court's decision to allow busing to be instituted in Los Angeles for school-integration purposes this fall. But she was probably helped by the court's ruling that Proposition 13 is constitutional in every major respect — even though she dissented on one aspect of the decision. Had the court found the measure unconstitutional, Bird's judicial career probably would have been ended.

Field's initial poll showed that the potential yes (43 percent) votes on Bird far exceeded the no (26 percent) votes. But Field indicated that the support for Bird was not strong and that a well-orchestrated campaign against her could make the race extremely tight. The pollster feels that a series of newspaper advertisements, for example, presenting a documented case against the Chief Justice could turn plenty of votes around — if the opposition didn't look like a group of extremists.

The opposition against Bird comes from two prime sources. Ultra-conservative State Senator H. L.


**Facts, figures and arguments on the 8 November propositions**

*(Plus analysis of 1978's most competitive district races)*

We won't tell you how to vote on the anti-smoking, anti-homosexual or death-penalty initiatives on the November 7th ballot — but we will make it easier for you to make up your own mind. In the center of this issue, you will find the **Journal's** analysis of all eight measures on the general-election ballot — written in easy-to-understand language without bias either way. This pamphlet also includes analyses of those legislative, congressional and Board of Equalization races that look especially close this year.

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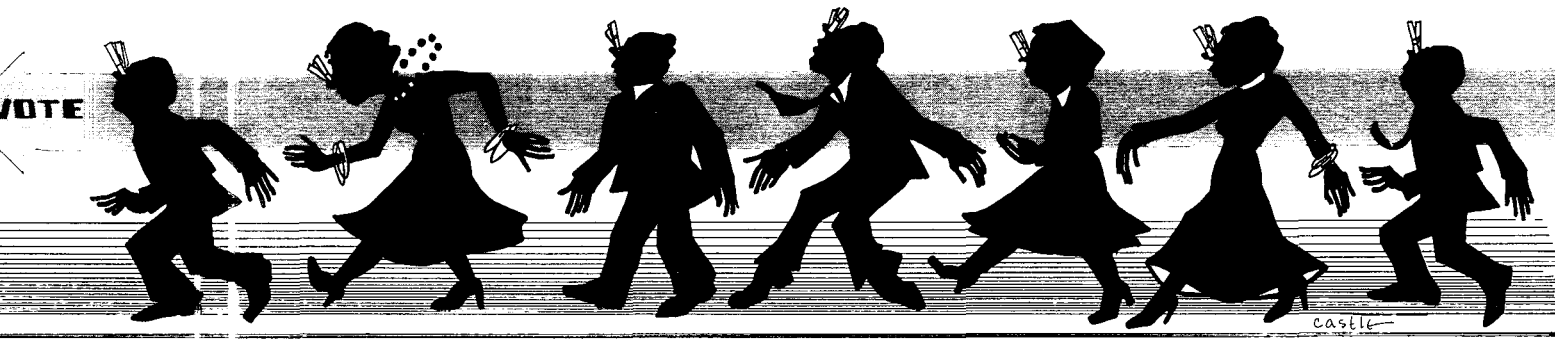


Richardson says he wants Bird defeated because she is too liberal and soft on criminals. A campaign run by Mary Nimmo, daughter of state Senator Robert Nimmo, charges that she is unqualified. The Nimmo campaign is supported primarily by farmers and Republican legislators. She claims there is backing from across the political spectrum — including liberal Democrats. But most of the liberals, whoever they may be, remained out of the public view. Bird may have been helped by the official stand of the Republican State Central Committee against her because that step reinforced the partisan nature of the campaign. The vote on Bird should be close if Richardson and Nimmo fulfill their pledges to spend barrels of money to defeat her.

### Tight ones, easy ones

As for the more conventional statewide races:

• ***Lieutenant Governor***– The polls indicate that incumbent Democrat Mervyn Dymally and Republican Mike Curb are locked in a tight race. Curb may have been hurt by joining forces with Younger. Dymally probably needs a decent Democratic turnout, especially in minority areas, to keep his job. Curb will probably run ahead, perhaps far ahead, of some other Republicans on the statewide ticket.

• ***Controller***– Democrat Ken Cory, according to the polls, is in excellent shape. That's because even Republican leaders don't take the candidacy of his opponent, perennial candidate James Ware, seriously.

• ***Secretary of State***– Democrat March Fong Eu could repeat her million-vote victory of 1974 against Jay Margosian, the unknown Republican nominee. But it is more likely that her margin will be cut by a general trend against incumbents.

• ***Attorney General***– This may be one of the tightest races of the year. The Field poll indicates a steady trend that would put the Republican, state Senator George Deukmejian, over the top on November 7th. But Deukmejian's campaign has been slow to get off the ground, and the Democrat, Congresswoman Yvonne Brathwaite Burke, held a small early lead. Burke has been campaigning hard, but she has to live with her liberal record in a conservative year. Burke probably would have been in much better shape if she had run for one of the other statewide offices, but this was the only one without an incumbent.

• ***Treasurer***– The Field poll suggests that the incumbent, Treasurer Jesse Unruh, might be defeated. But Unruh rarely does well in early polls because there are still a great many Californians who think of him as the boss-like ruler of the Legislature, a notion that goes back to the Assembly lockup of 1963. Unruh probably will win comfortably, if only because his opponent is an unknown young mortgage banker from Richmond, Don French. Only a strong anti-incumbent or anti-Democratic tide could sweep Unruh out.

• ***Propositions***– Of the eight propositions on the ballot, three will be getting the most attention. Proposition 5, the anti-smoking initiative, is the one receiving most of the advertising dollars, and it could be very close. The polls indicate that the two other initiatives, Propositions 6 and 7, will probably pass. Proposition 6 is aimed at homosexual teachers, and Proposition 7 would make the death penalty apply to more categories of murder. It will also be interesting to see whether the era of fiscal conservatism results in defeat of Proposition 1, a $500 million Cal-Vet bond proposal. (For more on the propositions, see the special supplement in the center of this magazine.)

### Limited opportunities

This was supposed to be a year of opportunity for Republicans in the races for various district offices — state Board of Equalization, the congressional delegation, the Senate and Assembly. This is because the Democrats hold an overwhelming number of these offices, and quite a few of them were thought to be vulnerable as the election year started. As it turns out, there are some opportunities left, but not as many as the Republicans might have anticipated. (A detailed analysis of key races is included in the special supplement in the center of this magazine.) Republicans blew an opportunity to make major gains in the Senate, where 17 of the 20 seats being contested this year are held by Democrats. In the other district races, the GOP should make modest gains. The outlook:

• ***Board of Equalization***– All four district seats are now held by Democrats. Republicans have a good chance of defeating incumbent Iris Sankey of San Diego County, a Brown appointee. There is a slim chance that the veteran George Reilly of San Francisco could be ousted.

• ***Congressional delegation***– Look for some Republican advance here — but only a baby step or two. The two most vulnerable incumbents are both Democrats — John McFall of Manteca and Mark Hannaford of the Long Beach area. There is also a hot race for the seat being vacated by Republican Del Clawson of Downey. The other races in which there are chances of partisan change are divided about equally between the parties. The Democrats now hold 29 of the state's 43 seats in the House of Representatives.

• ***Senate***– With 17 Democrats to shoot at, it would appear that the Republicans would be able to narrow the 26-14 Democratic advantage this year. But a more likely outcome is that the Democrats will come away with 27 seats — a two-thirds majority in the Upper House. The reason is that Democrats are threatening to win two of the three seats being vacated by retiring Republicans, Peter Behr of Marin County and Dennis Carpenter of Orange County. The GOP has a few targets — John Dunlap of Napa, Arlen Gregorio of San Mateo County and Omer Rains of Ojai. But Republicans will be lucky to dump any one member of that trio.

• ***Assembly***– With 57 of the 80 seats in the Assembly, the Democrats are definitely in a defensive position. There are about a dozen seats that are being very hotly contested, and nine of them now belong to the Democrats. This should mean that the Republicans will pick up three or four seats. The magic number is four. A net gain of only three will still leave Speaker Leo McCarthy with a two-thirds majority of 54. A four-seat gain would give the Republicans a great deal of leverage, especially on fiscal issues. (See the special supplement for details on the marginal races.)



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# The Politics of Growth in San Jose

*By Dale Lane*

Growth has been the major issue in San Jose since the beginning of the boom era in the late 1940s. Today that issue is ripping apart the City Council. It figures strongly in the contest for mayor in the November 7th election and in races for a seat on the City Council and another on the Santa Clara County Board of Supervisors. It led to the firing in August of the city manager, Ted Tedesco.

During the boom years, San Jose became the classic example of urban sprawl. The city engaged in devious annexation struggles with its neighbors. Development went where the price of land was right, with virtually no regard for planning. Defensive cities were incorporated — Saratoga, Campbell, Monte Sereno, Milpitas, Cupertino — for the purpose of slowing San Jose's march across the valley and into the hills.

The city's population climbed from 68,457 in 1940 to an estimated 587,700 today. Santa Clara County, an essentially rural region 30 years ago, now accommodates more than 1.2 million persons.

Growth, however, has slowed significantly in recent years. In the late 1960s, the developers began to lose some of their clout. Other factions, from absolute no-growth environmentalists to advocates of moderate development, began to achieve some influence. Moderate growth forces seemed firmly in control in 1974 with the election of Councilwoman Janet Gray Hayes as mayor. She beat the candidate favored by developers and San Jose's old guard, retired Chief of Detectives Barton Collins.

The new mayor worked with City Manager Tedesco in fashioning a policy of allowing development only in areas where city services could be provided at reasonable cost. The policy was not etched in stone, but it represented a substantial change from the old days.

### Unlikely coalition

In the June election this year, however, Hayes proved to be vulnerable. She spent well over $100,000 but was unable to avoid a November runoff with her principal opponent, Councilman Alfredo Garza Jr.

In the days following the election, an unlikely majority coalition was formed on the council. Acceleration of growth was its prime goal. Joining Garza were David Runyon, a real estate man who had been in office only a year and a half; Joe Colla, the senior councilman whose trademark had been his refusal to join coalitions; and Larry Pegram, the council's only Republican and a man with political ambitions. That left Hayes, Susanne Wilson and Jim Self on the short end of a series of 4-3 votes.

One majority proposal was a timetable for advancing the construction of streets into areas of potential development. The most dramatic move was the firing of the city manager, an advocate of moderate growth. But the coalition's majority was short-lived. In August, Runyon, who had campaigned for office as a born-again Christian, had his second early-hours-of-the-morning brush with city police. An earlier conviction in Municipal Court, for interfering with police, still was under appeal. The second incident — for which he was booked for battery, resisting arrest and public drunkenness — brought his resignation from the council.

Although it didn't last long and failed to get its road timetable approved, the four-man bloc defined some issues for the local campaigns. Ironically, these issues could help the mayor's re-election chances. Hayes was on the defensive during the first phase of the campaign, but recent developments on the council give her a chance to go on the offense.

### The 'sweaty palm' issue

Hayes is San Jose's third elected mayor. The office carries no special powers, such as a veto or appointing authority. A mayor must use leadership — or political moxie — to accomplish anything. In that regard, Hayes has had less success than her two predecessors — Norman Mineta, now a Democratic congressman, and Ron James, now president of the San Jose Chamber of Commerce. Garza has been attacking her for lack of effective leadership.

Garza, 41, appeals to the minority communities. He encourages the feeling of many Eastside residents that that section of the city is neglected by the Hayes administration. He is the only Eastsider on the council. Garza supporters contend Mrs. Hayes, who lives in the fashionable Rose Garden section, gets "sweaty palms" when she has to attend an Eastside function.

Garza spent $125,000 prior to the June election. That left his campaign in debt and his funding resources strained. Having emerged as the growth candidate, he may now get fresh financing.

Hayes, 52, has been a highly visible mayor. As a women who leads a city, she has attracted national publicity. Garza was annoyed when the President's wife, Rosalynn Carter, turned up in San Jose last year for a Hayes fundraiser.

### A long-shot challenger

Revival of the growth issue also breathes life into the long-shot bid of Jerry Estruth to unseat the veteran Colla. Estruth, 35, is a stockbroker and former Peace Corps executive who has shown a flare for campaigning.

Joe Colla, 58, receives constituents at his downtown drugstore. He is the sort of town politician who would have fitted easily into a San Jose council in the 1940s. Playing the role of a maverick, he has done surprisingly well in this political era, in which he does not seem at home. This is the first election in a decade that has seen him in trouble.

Susie Wilson, 50, is assessed by some as the canniest of Santa Clara County's crop of woman officeholders. She is ambitious, but most of the jobs just above her council post are filled with her Democratic allies, including Mayor Hayes and Assemblywoman Leona Egeland.

A vacant seat on the County Board of Supervisors brought Wilson into this election. Her council term runs until 1980, giving her a free ride in her race against Ivan Zubow, a well-to-do Morgan Hill developer. Zubow put $76,000 of his own money into the pre-June campaign.

It is a rare politician who will admit to being an advocate either of no-growth or of unbridled growth. Joe Colla is more candid than most. Asked about the firing of the city manager, Colla said: "He was anti-growth, and this is now a pro-growth city."

The November 7th election will help decide whether that statement is true.

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*Dale Lane is the political editor of the* San Jose Mercury News.



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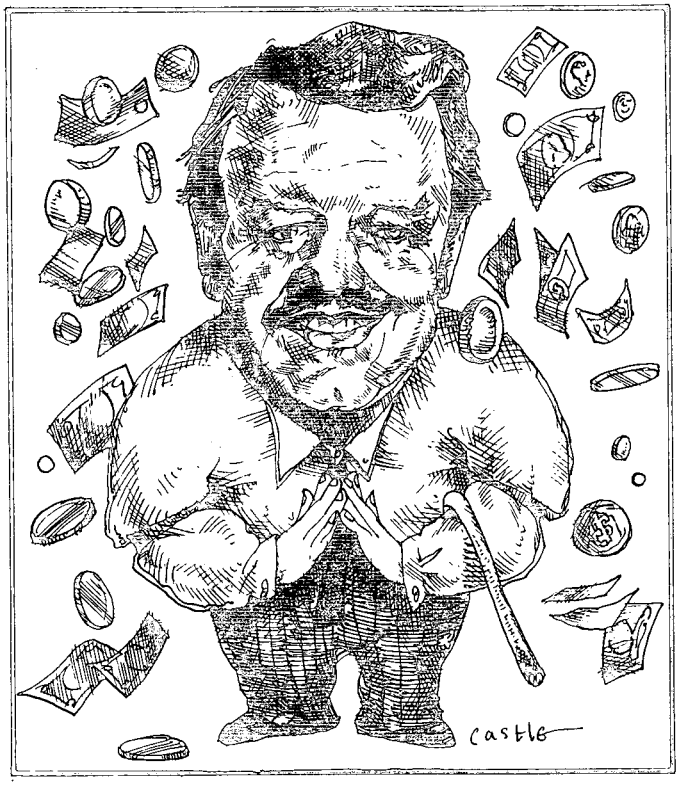
# The little-known record of 'Daddy Bigbucks' Unruh

*By* BEVERLY BECKER

When Jesse Marvin Unruh was elected state treasurer, he brought to that plain-Jane job his outspoken manner and 16 years of legislative experience. Not surprisingly, he has changed the scope of the office dramatically. Unlike the attorney general's post, which is often used as a stepping stone for would-be governors, the role of treasurer has generally been routine and obscure. But Unruh is not an obscure politician. During his term as speaker of the Assembly, from 1961 to 1968, he became the best-known state legislator in the nation. He is, among other things, a mover and a shaker — hardly anyone's typical state treasurer.

Defeated by Ronald Reagan in the 1970 governor's race, Unruh stepped out of state politics for a few years and then, in 1974, returned to beat Republican John Kehoe for the office of treasurer. Since then he has used his legislative expertise to broaden the scope of the office and increase its effectiveness. As keeper and investor of the state's burgeoning, controversial surplus funds, he has not been shy about offering his views on how they should be handled.

Unruh's favorite word for the huge state surplus is "obscene." Months before the passage of Proposition 13, he was insisting that the surplus was much larger than the figures offered by the Brown Administration. Unruh turned out to be right. And as one legislator said recently: "Unruh's credibility — on just how much money the state has — went up. We should have listened to him and not the Governor."




### The numbers game

Unruh was right about another factor: the psychological impact of the surplus on voters. He blames the bulging treasury for the overwhelming success of Proposition 13, and he contends that it is wrong for the Legislature to finance programs with funds accrued as a result of rising inflation rates.

"The state should end the numbers game and tell the people what the true financial picture is," Unruh says. According to him, that picture is of another $4.5 billion surplus by the end of the next fiscal year.

Unruh also believes there is too much politics in the state government's fiscal forecasting. Since the director of finance is appointed by the governor and is directly responsible to the executive branch, revenue forecasting — the foundation for state spending programs — can be influenced by the political whims of the executive, he says. "The forecasting unit of the department should be placed under the joint power of the executive and legislative branches," Unruh says. If the Legislature doesn't want to get involved, the Pooled Money Investment Board could supervise revenue prediction, he suggests. (The PMIB is composed of the state controller, the finance director — and the treasurer.)

Unruh also has voiced dissent on another post-13 phenomenon: the Local Agency Emergency Loan Fund. Proposed by Governor Brown and created by the Legislature, this $870 million fund was designed to aid local agencies unable to meet operating costs as a result of property tax cuts. Unruh's office was assigned to administer the fund — but by the August deadline for loan applications, only $30 million had been requested. The deadline was extended.

### Investing in real estate

Unruh believes the terms of the loans are largely responsible for the limited response: The money must be repaid to the state, and prospective borrowers must prove they could not borrow the money anywhere else. (One source in Unruh's office speculates that the large amount placed in the emergency fund may have been a way to hold on to more of the surplus, rather than using it to bail out local governments.)

Long before Proposition 13, Unruh was making changes, if not big news, in the treasurer's office. Largely because of

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his efforts, the state now can collateralize its deposits with first mortgage trust deeds on California real property. Until this year, the law required state deposits in savings institutions to be collateralized 110 percent. This effectively prevented savings and loan associations from enjoying the benefits of state deposits. But now that real estate trust deeds are acceptable collateral, S&Ls are in an excellent position to compete for state investment dollars, since they are the largest direct real estate lenders.

Since January, when new legislation took effect, the state — under Unruh's guidance — has pumped close to one billion dollars into California's housing market through deposits in S&Ls. The multiplier effect of this deposit means an estimated $5 billion stimulus to California's housing market, Unruh says. The more money available for construction lending, the lower the interest rates. That in turn encourages building, and building means jobs and housing.

### That old legislative muscle

The legislation permitting such investment was sponsored by Assemblyman Tom Bane, a one-time Unruh lieutenant, who claims it was Unruh's support and credibility with the Legislature that got the bill passed. "I don't know if I could have gotten the bill through myself, but I wouldn't have wanted to take the chance," Bane admits. The bill was strongly opposed by the banking lobby, and Bane credits Unruh's testimony with convincing legislators to push it through. The state is receiving as much as 8.5 percent interest for monies deposited with the S&Ls.

Unruh also has launched a program that allows local governments to pool any temporarily idle funds with the PMIB for investment. Local governmental agencies can earn a respectable return in this way. During the first quarter of 1978, total interest distribution to the 301 cities, counties and special districts participating in the fund was more than $7.5 million, for a 6.97 percent return. This program provides small government access to the investment know-how at the state level, with no cost and without tying up their funds for long periods. Such changes in investment policies have had a substantial impact on the state's financial picture: During the past four years, the PMIB fund has earned over $1 billion.

### An unknown challenger

Thus far, Unruh has chosen not to campaign for re-election — but merely to stand on his record. He has a political unknown, mortgage banker Donald French of Richmond, as an opponent. French can hardly sell himself as a better potential treasurer than the incumbent because that would take a very expensive campaign. On the other hand, Unruh has few dollars to spend and hardly needs to become more visible to the voters — even though his record as treasurer is little understood outside of financial and legislative circles. If Unruh is defeated, it would probably be only because the political tide in November is against incumbents and Democrats.

If Unruh wins re-election, he will be 60 when his second term of office expires in 1982. What then? Although sensitive about his age and about any suggestion that he has gone as far as he can go, Unruh is noncommital about future plans. "Right now I'm running for treasurer. Like most politicians, I'm open to future developments." Regardless of his political future, Unruh can add to his list of other accomplishments the revitalization of the treasurer's office.


# The classroom combination

This year, for the first time, the *California Journal Press* has two books designed primarily for college classroom use — the 128-page **Government and Politics Annual 1978-79** and the 120-page **California Public Administration.**

The **Annual,** published every year by the *California Journal Press,* consists of reprints of *California Journal* articles covering the various branches of government, elections, political reform, lobbying, taxation, local government, the environment, business, health and welfare. There are three new sections this year — on the initiative and recall, on energy, and on women and minorities. The book also includes a "Practical Guide to California Government and Politics."

**California Public Administration** describes the inner workings of state government — how decisions are made in all branches of state government, with special emphasis on administrative agencies. Reprints of a few *Journal* articles are included, but the bulk of the book consists of previously unpublished material.

The tax-included prices are $3.71 for the **Annual** and $5.25 for **California Public Administration.** Although these books are designed primarily for student use, they can be useful tools for anyone seeking to understand how state government works.

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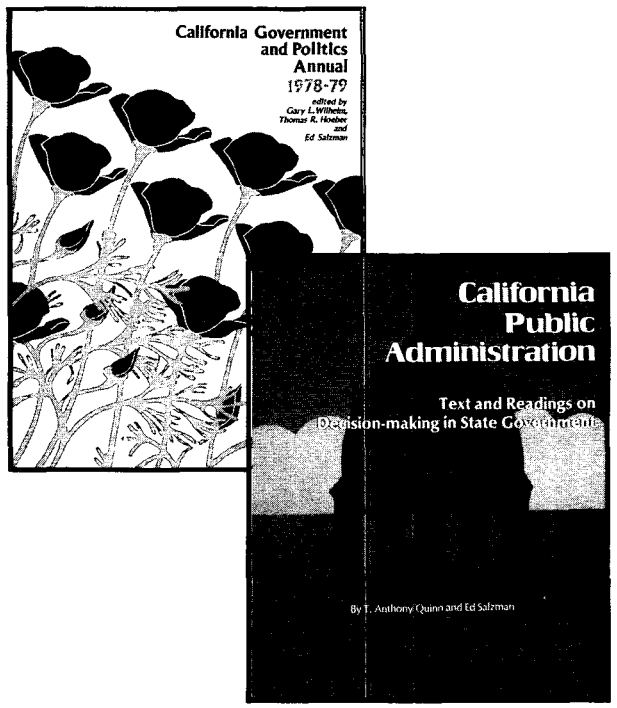
California Government and Politics Annual 1978-79
edited by Gary L. Wilhelm, Thomas R. Hoeber and Ed Salzman
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# Are the TV cameras returning to Sacramento?

We're based where news breaks.
NewsCenter 4
Sacramento
San Mateo, Santa Clara, San Francisco, Contra Costa, Alameda
FOSTER and KLEISER

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How KRON-San Francisco is advertising the opening of a Sacramento news bureau

**By ALISON HARVEY**

Three years ago, as the novelty of the Brown Administration began to fade, television news crews began pulling out of Sacramento. Jerry Brown was elusive and available for filming only irregularly. TV news people complained at the time. Furthermore, it was expensive to maintain a full-time television crew in the capital, and government news was considered dull, dull, dull. By July 1975, only KNBC and KNXT were still in Sacramento — and KNXT closed its bureau one year later. Radio news coverage also was at a 25-year low; newspapers cut back and consolidated their staffs. Lesher Newspapers of Contra Costa and San Joaquin counties closed down their capitol bureau completely.

But in the last year, the Capitol press corps has grown and prospered. There are 96 members listed in the current directory of the accredited press, compared to 80 in 1976. Four new bureaus have opened recently, including a Sacramento office for the giant Gannett chain. The *Los Angeles Herald-Examiner* has revitalized its coverage, and the state's 20 public radio stations now have a new Capitol bureau to serve them.

What's more, the TV news cameras are coming back — and broadcast news executives promise they're coming back to stay. The returning march began with the opening in April 1977 of a Capitol bureau to serve the state's 12 public television stations. Staffed by reporters Bill Rukeyser and Kirby Perkins, the bureau provides daily reports to KQED and KOCE, the two PBS stations with nightly newscasts. The bureau also produces *California Tonight*, a weekly analysis of major political and government stories. And it has done several news specials on such topics as the death penalty, property taxes and ballot propositions. Many of the bureau's stories are shown on PBS stations nationwide. The goal is quality, in-depth coverage of important state issues, according to bureau chief Christine Weicher. The PBS bureau, on a $230,000 budget, can "do a little, well" without the pressures of ratings and the imperative of profit, says Weicher.

### KRON and Rutland

The most recent addition to television news in the Capitol is KRON-TV, the San Francisco NBC-affiliate owned by the *San Francisco Chronicle*. KRON has made a major investment in microwave transmission equipment and can put its new Capitol correspondent, Ginger Rutland, on the air live nightly. Rutland concentrated on Capitol news while the Legislature was in session, but she reports nonpolitical news and features when it's not. The Sacramento area is a familiar beat for Rutland, who was born and raised in Sacramento and has covered the area since 1972 for local television station KCRA. "The Bay Area deserves some sort of concentrated Capitol coverage," says Rutland. "The other Bay Area stations are watching."

One Bay Area television news manager paying attention to KRON's coverage is Larry Lee, who recently took charge of KPIX-TV's investigative unit. Lee, who came to KPIX from KSAN-radio, says KPIX plans to expand its coverage of Sacramento substantially. KPIX has hired veteran investigative reporter Marilyn Baker and has a Sacramento-San Francisco microwave link, but while there are hints of an enlarged news staff, details of future Capitol news coverage

*Alison Harvey is a free-lance writer and a former Assembly fellow and reporter for the* Morro Bay Sun-Bulletin *and the* Paso Robles Daily Press.



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plans are a competitive secret. KPIX will look at Sacramento from a "new angle," Lee promises. "Long and serious might be the way to characterize the work we're going to do here," he says.

Even Los Angeles' KNBC, the sole out-of-town television station to keep its news crew in the Capitol during the slump, plans a new look at the news. The NBC-owned station picked up experienced Capitol reporter Douglas Kriegel in July. Kriegel's news philosophy is to focus on the people affected by a government action whenever possible. "That's the way to make it interesting," he says. Other Los Angeles stations will be keeping a competitive eye on Kriegel, who likes to point out that KNBC kept its Capitol news bureau and its number-one market rating during the '70s. While other Los Angeles television stations are mum on future plans, there are rumors that some, including KABC, are considering January news bureau starts.

### Causes of the comeback

Why the television comeback? Kriegel says viewers lost interest because "we were just shipping them press conferences." Now, he says, TV has learned to make every story visual and interesting. Also, live coverage, interviews and on-the-spot news are easier to do because of new mini-cameras and microwave hookups. The new technologies allow television reporters to skip the press conferences and staged ceremonies in favor of livelier stories — "a logistical blessing," according to KPIX news director Gary Elion.

Proposition 13 also had a major role to play in the resurgence of TV interest in state government. The Jarvis-Gann initiative was a public consciousness-raising exercise, and it focused Californians' interest on Capitol affairs, says Chris Antoniacci, news director of Sacramento's KXTV. In addition, the Sacramento community is becoming a major metropolitan area, meriting more general news coverage by out-of-town stations. Both Rutland and Kriegel say they will spend a large share of their time covering Northern California in addition to their Capitol duties.

Television news people don't appreciate the predictions of some print reporters to the effect that TV will pack up and leave again after the November election. KPIX has made major expenditures and has "an ongoing committment to covering the Capitol," says Elion. Capitol coverage is "not a passing thing" for KRON, says Rutland, who points to a more than half-million dollar investment in salaries and equipment. "When TV stations, for whatever reason, get serious enough to invest major amounts of capital . . . it's going to be a long-range proposition," says Antoniacci.

### Radio and print patterns

The PBS radio news bureau, opened in January last year, is the main development in radio coverage of the Capitol. As the only radio network bureau, it provides news specials, daily reports and the weekly *Sacramento Update*, an hour-long program of features, debates and interviews, to the 20 PBS radio stations in California. On an $80,000 grant from the California Public Broadcast Commission, the bureau is staffed by bureau chief Donovan Reynolds and two reporters, including the bilingual Gabriela Castelan. Also new to the Capitol radio beat is Kare Anderson, who was formerly on the staff of state Senator Peter Behr. Anderson produces her own syndicated radio feature service, called *Inside Sacramento*.

New bylines abound in the print media as well. Gannett — which, like the Times-Mirror Company, parent of the *Los Angeles Times*, has more than doubled its revenue in the past ten years — has installed Eric Brazil as chief of its new Sacramento bureau. Brazil and Vic Pollard, formerly correspondent for the *San Bernardino Sun-Telegram*, are feeding Capitol news at a grueling pace to the chain's six California and 11 western newspapers.

More small-newspaper publishers are apparently deciding that locally oriented Capitol coverage and the added prestige of a Capitol correspondent are worth the cost of establishing a Sacramento office. The *Van Nuys Valley News* and *Escondido Times-Advocate* now have a Capitol correspondent, Bill Packer, and the *Bakersfield Californian* has sent reporter Mary Shell to Sacramento. Also new to the Capitol beat are Daniel Blackburn and James Carroll, representing the varied papers of the Freedom and Sparks chains. The demands on their time are as diverse as the newspapers they work for — ranging over California from Marysville to Victorville and including the *Orange County Register*. The John P. Scripps Newspapers group also is contemplating the idea of a Capitol bureau for its seven California papers.

Among recent staff changes is the promotion of veteran *Los Angeles Times* political writer George Skelton to bureau chief, replacing the ailing Tom Goff. Al Donner, Capitol reporter for the *Sacramento Union*, has been sent to Washington to open a *Union* bureau there. John Hammarley, formerly of the *Union*, is now full-time correspondent for the *Los Angeles Herald-Examiner*. The *Herald-Ex*, while not presuming to compete with the *Times*, does seek to upgrade its state coverage. Hammarley anticipates a "hit and run" type of solo operation, leaving daily routine coverage to the wire services.

The expanding press corps has a younger look to it, but it is still a predominantly male club. With the notable exception of United Press International, which has added several women to its Capitol staff, employment opportunities for women are concentrated in radio and television.

Sacramento may never again attract the quantity of coverage that it had three years ago, when 18 separate TV crews were tripping over each other's cables in search of stories worth filming. But there may be reason to hope that the quality of news coverage will improve in the next year or two. At least some decision-makers in the electronic media seem to have learned the lesson of Proposition 13: Viewers are voters — and they sometimes care about what's happening in state government.

(For additional background on the Capitol press corps, see *Journal* articles in the July 1975, February 1974 and April 1972 issues.)


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NOVEMBER 1978

# California Journal Ballot Proposition Analysis

## and Rundown of Key District Races

Not since June 1970 have there been so few propositions—only eight—on a regular statewide election ballot. California voters on November 7th will decide the fate of three initiatives, one bond issue and four proposed constitutional amendments placed on the ballot by the Legislature. (There were also eight measures on the ballot in June of 1970.) Most of the attention is focused on the three initiatives, which would restrict smoking, prevent homosexuals from teaching in the public schools, and broaden California's death-penalty law. A majority vote is sufficient to enact any proposition, including the bond issue.

In the past, these pamphlets have been limited to analysis of ballot propositions. This one, however, will also include a listing of Board of Equalization, congressional and legislative races considered especially competitive this year.


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## 1 CAL-VET BONDS

*This proposal would provide for a $500 million bond issue to provide farm and home loans for California veterans.*

**Background:** The state has been making available low-cost mortgages to California veterans since 1921, through the sale of so-called Cal-Vet bonds. This program allows veterans to purchase farms, homes and mobile homes at mortgage interest rates below the general market because the credit of the state backs up every dollar of debt. Since 1921, a total of $3.4 billion worth of bonds have been sold to finance this program, which has helped about 320,000 California veterans buy farms and homes. If this measure is approved, an additional $500 million would become available, primarily for veterans of the Vietnam War.

**Arguments:** The pros and cons on Proposition 1 are the same as they have been on most previous Cal-Vet bond proposals. The proponents emphasize that all Californians benefit from the program because it boosts the housing industry, sending a favorable ripple throughout the state's economy. They emphasize that the program is totally self supporting and has never cost the taxpayers a cent. The ballot-pamphlet argument in favor of the measure was signed by comedian Bob Hope as well as Assemblymen Jack Fenton and Richard Alatorre.

The prime legislative opponent of the proposition is Senator Dennis E. Carpenter, who raises three questions about the Cal-Vet program: Is it fair to operate a special program for a very small percentage of Californians when the federal government provides almost the same benefits? Should we continue an outdated program established for low-paid servicemen now that the nation has a professional, volunteer military establishment? Is it fair to all homeowners to give Cal-Vet buyers a 5.6 percent interest rate while others must pay almost 10 percent?


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## 2 PUBLIC UTILITIES COMMISSION

*This proposed constitutional amendment would eliminate the power of the Public Utilities Commission to designate a commissioner as a hearing or investigating officer.*

**Background:** The basic law establishing the guidelines for the state Public Utilities Commission is contained in the state constitution. The constitution now states: "Any commissioner as designated by the commission may hold a hearing or investigation or issue an order subject to commission approval." This proposition would eliminate that sentence. Should this proposition be approved, activities now conducted by individual commissioners would have to be referred to civil-service hearing officers or would have to be handled by the entire five-member commission.

**Arguments:** Assemblyman Gordon Duffy, legislative sponsor of this proposition, claims the constitution now allows one political appointee to have, in effect, total power over how much Californians pay for utilities. He claims this system allows individual commissioners to engage in "horse-trading" by agreeing to go along with each other's proposed decisions. According to Duffy, this measure would open up the PUC decision-making process to public view and insure that all rulings are fair and unbiased.

Proposition 2 is opposed by members of the Public Utilities Commission, who now divide the responsibility for some 1,000 cases a year under the provision that would be deleted from the constitution. They claim that this measure would force them to hand over much of the decision-making process to civil servants and that the commissioners would provide much better protection for the citizenry than hearing officers. They claim that all decisions of the PUC are now made by the full membership in a process that is open to the public. Passage of this measure, they emphasize, would delay decisions and cost the taxpayers more money.

## 3 SALE OF COASTAL PROPERTY

*This proposed constitutional amendment would allow the state Department of Transportation to sell surplus property in the coastal zone for environmental purposes.*

**Background:** Funds collected from motor-vehicle taxes are deposited in the state Transportation Fund. The state constitution requires that these funds be spent only for highways and other transportation purposes. The state periodically determines that land bought with money from this fund is no longer needed for transportation purposes. The land is sold to the highest bidder, and the proceeds are deposited in the Transportation Fund. The state now owns surplus property along the shoreline, mostly highway rights-of-way in Southern California. This proposition would allow the Department of Transportation to sell these lands to state agencies for park use, wildlife habitat, ocean access or preservation of agricultural land. The minimum price would be the original acquisition cost. It has been estimated that these parcels have a market value of $15 million, and the acquisition cost was $8.5 million.

**Arguments:** Assemblyman Paul Priolo, author of the proposition, claims that it is important that environmental agencies be given an opportunity to buy some 66 coastal parcels so that they may be used for the benefit of all Californians. Assemblyman Mike Antonovich, who opposed the measure in the Legislature, maintains that these parcels should be made available to those property owners who were forced to sell their land to the state for transportation purposes.

## 4 CHIROPRACTIC EDUCATION

*This proposed constitutional amendment would establish new criteria for state recognition of chiropractic schools for licensing purposes.*

**Background:** California's basic law regulating the practice of chiropractic healing was written into the state constitution by initiative in 1922. This is the latest in a series of ballot propositions designed to amend that law.

Two years ago, California voters approved a ballot measure prohibiting the State Board of Chiropractic Examiners from licensing graduates of schools that had not been accredited by the Accrediting Commission of the Council on Chiropractic Education. (Students previously enrolled in other schools would still be eligible to be licensed, but those entering after November 1976 could not be licensed unless their schools were accredited prior to their graduation.) There are now four chiropractic schools in California; one is accredited, the other three are in the process of obtaining accreditation. Two schools challenged the 1976 law and its interpretation in court, and the judge recommended that the accreditation issue be clarified via another ballot measure.



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If Proposition 4 is approved, the state would recognize all accrediting agencies meeting specified standards. It would also establish a timetable for all schools to obtain accreditation. Those in operation two years ago would have until March 1st, 1980; others would have three years following the commencement of instruction. Ground rules for extensions are spelled out in the measure.

Current law specifies grounds for the state to deny, suspend or revoke a chiropractor's license. These include a crime involving moral turpitude. This proposition would eliminate the term "moral turpitude" and replace it with conviction of any offense "substantially related" to the practice of chiropractic healing. The state Board of Chiropractic Examiners would determine which offenses fall under this category.

**Arguments:** Proposition 4, sponsored by state Senator Albert S. Rodda, is supported by the Board of Chiropractic Examiners and by the California Chiropractic Association. Proponents claim that the 1976 proposition has resulted in confusion as to which students from which colleges will be eligible to take the examination for licensing as chiropractors. This measure, they say, will eliminate uncertainties, protect the consumer and make several other desirable revisions in the basic chiropractic law.

Three individuals, calling themselves the Mad As Hell Association, submitted an argument for the state ballot pamphlet urging Californians to vote no on this measure. Their plea: "Why do we have to vote on trivia like this when pollution, crime and high prices have caused our state to go amiss?" The association asks Californians to send legislators a message that unimportant issues should not be placed on the ballot.

## 5 REGULATION-OF-SMOKING INITIATIVE

*This proposed initiative statute would make smoking illegal in specified areas of public and private buildings.*

**Background:** At present, there is no state law regulating smoking in private buildings. Some cities and counties have enacted ordinances banning smoking in such places as retail stores and portions of restaurants. The state has passed laws requiring various transportation companies to establish non-smoking sections in their vehicles and restricting smoking in some public buildings. This initiative would expand restrictions in both publicly and privately owned buildings.

Places where smoking would generally be prohibited (subject to the exceptions listed below): places of employment, including work areas, lounges, restrooms and employee cafeterias; private and public schools; health facilities and clinics; arenas, auditoriums, galleries, museums and theaters; public transportation facilities; business establishments; offices of doctors and dentists; elevators; public restrooms.

Places where smoking would be permitted: bars; retail tobacco stores; hotel and motel rooms; rooms used exclusively for private social functions; any fully enclosed office occupied exclusively by smokers; any one-person office; taxicabs when not carrying passengers; private hospital rooms and semi-private hospital rooms when both patients wish to smoke; any part of a restaurant except for the non-smoking area; sleeping quarters of dormitories; facilities when used for rock concerts, professional boxing and wrestling, and roller derbies; pool and gambling halls; up to 50 percent of student or employee lounge areas and employee cafeterias; private compartments in sleeping cars of a railroad train; up to 50 percent of the lobby or waiting area; manufacturing areas in which the distance between workers is adequate to protect the comfort and health of non-smokers.

Every restaurant would be required to establish a non-smoking section in its dining room. With exceptions, the owners of private buildings would be required to post signs in all areas where smoking is illegal. Signs would also be posted at the entrance to every government facility. A fine of $50 a day could be imposed against anyone violating this statute. Local government would be permitted to establish additional non-smoking areas. The Legislature could amend the statute so long as the basic intent of the initiative is not altered.

**Arguments:** Proposition 5 is sponsored by such organizations as the California Division of the American Cancer Society, the California Lung Association, the California Medical Association, the Sierra Club and the Group Against Smoking Pollution (GASP). The main arguments in favor of the measure:

- This measure protects the rights of the smoker as well as the non-smoker. Smokers can continue to puff away out-of-doors, in designated smoking sections and in other places where smoking is specifically permitted.
- The health of non-smokers can be harmed from "second-hand" smoke, especially individuals with health or lung problems.
- The authors of this measure recognized that the initiative may not be a perfect work of draftsmanship, so they allowed the Legislature to amend the measure by a simple majority vote.
- Proposition 5 will save tax dollars by lowering Medi-Cal and other health costs through the reduction of illness. It will also reduce the losses from smoking-related fire and merchandise damage.

The no-on-5 forces, supported by tobacco-industry funds, are called Californians for Common Sense and they include former Republican gubernatorial nominee Houston I. Flournoy and Sheriff Peter Pitchess of Los Angeles County. The primary anti-arguments:

- The initiative would cost government and business many millions of dollars. The cost of placing signs on every government building, plus law enforcement and court costs, would be $43 million in the first year. The cost of building smokeproof walls to segregate the smoking and non-smoking areas of private buildings would be more than $250 million.
- There is no proof of harm from second-hand smoke.
- It makes no sense to allow smoking in an auditorium during a rock concert or professional sporting event and then the next night allow someone to be arrested for smoking in the same hall while attending a jazz concert or an amateur sporting event.
- This measure is discriminatory and deprives individuals of basic freedoms. Executives would be able to smoke in their private offices, but employees in open work areas could not.



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## 6 HOMOSEXUAL-CONDUCT INITIATIVE

*This proposed initiative statute would require the firing of teachers who engage in homosexual activity or conduct.*

**Background:** Under current law, certificated employees of the public schools—teachers, counselors, administrators and some teacher aides—may be fired for incompetency, insubordination, unfitness for service, conviction of a felony, or immoral or unprofessional conduct. Homosexual conduct is not specifically listed as grounds for dismissal. However, firing can take place under present law if homosexual behavior has led to a felony conviction or if proven immoral conduct results in a reduction of the teacher's effectiveness.

This initiative would require that district school boards fire or refuse to hire any person who has engaged in homosexual activity or conduct if the board believes such activity renders the individual unfit for service. The proposition defines homosexual activity as "the public or indiscreet commission of an act of sodomy or perversion." Homosexual conduct is defined as the "advocating, soliciting, imposing, encouraging or promoting private or public homosexual activity directed at, or likely to come to the attention of school children and/or other employees." It is not known how school boards and the courts would interpret this "conduct" provision. A school board could fire any employee under this measure by majority vote, and the ruling could be appealed to the courts.

**Arguments:** Proposition 6 is sponsored by state Senator John V. Briggs, who claims this law is needed because homosexual activity in California is inimical to preservation of the conjugal family unit. He argues that a coalition of homosexual teachers and their allies are attempting to use the schools for the imposition of their brand of non-morality on the children of the state. Briggs says he has no objection to adults solving their problems as they see fit, but he does object to the imposition of a homosexual lifestyle on children. "An admired teacher can influence an impressionable young mind more than a library full of books," he maintains. "If that teacher questions the most elementary truths of our society, his influence can lead to tragedy."

The measure is being opposed by teacher organizations and by individuals who have formed Concerned Voters of California to campaign against the proposal. They argue that it is nonsense to believe that teachers are promoting homosexuality in the classroom because anyone who did so would be fired. The opponents claim that there are plenty of laws now to protect students from misconduct by any teacher, homosexual or heterosexual. This proposal, they add, will lead to a witch hunt that will threaten the careers of thousands of Californians. The opponents emphasize that the measure "legislates repression that threatens every individual and group."

## 7 DEATH-PENALTY INITIATIVE

*This proposed initiative statute would allow the imposition of the death penalty on more categories of first-degree murder.*

**Background:** Under current law, an individual convicted of first-degree murder can be sentenced to death, a life sentence without possibility of parole or a life sentence with possibility of parole after at least seven years in prison. A person convicted of second-degree murder can be sentenced to five, six or seven years in prison, with up to one-third of the time off for good behavior. The law requires a sentence of life or life without possibility of parole when an individual is convicted of first-degree murder with one of six special circumstances—murder for hire; use of explosives; killing of a peace officer or witness; commission of a murder during the commission or attempted commission of another major crime; murder by torture; repeat conviction for murder. If any of these circumstances is found to exist, the judge and jury must weigh both aggravating and mitigating factors in determining whether to impose the death penalty.

This proposition would increase murder penalties, add more special circumstances under which the death penalty could be imposed and revise the law on mitigating or aggravating circumstances.

Under this proposal, anyone convicted of first-degree murder would be required to spend at least 16 years and 8 months in prison before being eligible for parole. The minimum for second-degree murder would be 10 years before parole could be granted.

These special circumstances would be added: murder for financial gain; murder involving concealed or mailed explosives; murder to prevent arrest or to escape from custody; murder of any peace officer, fireman, prosecutor, judge or elected or appointed official; murder involving especially atrocious actions; killing a victim while lying in wait; murder committed while fleeing the scene of certain crimes; murder in which the victim is poisoned; murder based on a victim's race, religion, nationality or country of origin. This proposition would also make the death penalty apply to the mastermind of a crime, even though that person was not the actual murderer.

The death penalty would be mandatory in special-circumstance cases, if the judge or jury should determine that the aggravating circumstances surrounding the crime outweigh the mitigating evidence. Otherwise, the sentence would be life without possibility of parole. Before weighing these factors, the jury would be informed that life without possibility of parole might be subject to modification at some later date, thereby making parole possible.

**Arguments:** State Senator John V. Briggs, sponsor of this initiative, claims that the California citizenry wants a tough, effective death-penalty law to protect the state's


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families from ruthless killers. But every attempt to enact such a law has been thwarted by the powerful anti-capital punishment members of the Legislature, he claims. The current law was drafted in such a way as to make it as weak and ineffective as possible, according to Briggs, but this initiative would give Californians the toughest death-penalty law in the country.

Those opposing Proposition 7 include spokespersons for the California Church Council, the National Association for the Advancement of Colored People and the California Probation, Parole and Correctional Association. They charge Briggs with "false advertising" because California already has a death penalty for more kinds of crimes than any other state. According to the opponents, the present capital-punishment act was written by lawmakers who believed in the death penalty and wanted to see it used effectively. This initiative, they maintain, was written so carelessly that the courts may well throw it out.

## 8 TAXATION OF DAMAGED PROPERTY

*This proposed constitutional amendment would amend the Jarvis-Gann initiative to provide relief for disaster victims.*

**Background:** Under the Jarvis-Gann initiative (Proposition 13) adopted by the voters in June, all property is to be assessed at its value for the 1975-76 fiscal year, plus a maximum of two percent increase a year for inflation. But this rule does not apply to property that changes hands or is "newly constructed" following the 1975 assessment date. This means that if a person's home is destroyed by a disaster and is replaced by a new home, the new assessment would be based on current value, not 1975 value. This measure, sponsored by Senator Omer Rains, would provide relief for disaster victims by stating that the replacement property will be assessed at the 1975 rate if its fair market value is the same as the property that had been destroyed. This provision would apply only to those suffering losses in disasters proclaimed by the governor.

The Jarvis-Gann initiative also did not take into account the possibility that property could decline in value after the 1975 lien date. This measure would allow a reduction in assessments to reflect decline in value resulting from physical damage or economic conditions.

**Arguments:** Senator Rains claims it is unfair for disaster victims to be denied the benefits of the Jarvis-Gann assessment rollback that is being made available to most Californians. Without enactment of this measure, he said that the victims of disasters who cannot afford to rebuild their homes will still have to pay taxes based on 1975 assessments. The proposition is supported by Paul Gann, co-sponsor of Proposition 13.

There is no organized opposition to the proposition. It might be pointed out, however, that the 1975 assessment provision of Proposition 13 is being challenged before the state Supreme Court. Should the court invalidate that provision, the Rains measure would be meaningless.

# Analysis of Key District Races

Which legislative districts are most competitive this year? In which districts do the Republicans have the best chance of gaining on the Democratic majorities in the congressional delegation and in both houses of the state Legislature? In which districts do the Republicans find themselves in a defensive position?

The answers to these questions can be found in the following analysis, which lists those races that are most competitive, those in which the candidate of one party has a decided advantage but is far from out of the woods, and those in which the challenger has a long-shot chance of pulling an upset. Democrats now hold majorities of 4-0 on the state Board of Equalization, 29-14 in the congressional delegation, 26-14 in the state Senate and 57-23 in the Assembly.

Registration figures used below are from the June primary election. Minor-party candidates are omitted because none of them has a reasonable chance of winning.

## BOARD OF EQUALIZATION

### *Key District*

**District 2 (50%D-41%R)** — The incumbent, Democrat Iris Sankey of San Diego County, won only 27 percent of the vote in the primary, indicating that she may be vulnerable. The district has a Democratic registration of only 50 percent, and that's normally a good sign for the Republicans. Sankey was appointed to the board by Governor Brown following the death of John Lynch of Fresno. The Republican nominee, Ernie Dronenberg of San Diego County, didn't exactly win a smashing victory in June either, taking 21 percent of the vote in a seven-candidate field.

### *Longshot*

**District 1 (56%D-35%R)** — Incumbent Democrat George Reilly, 75, has been in office since 1939. He should be re-elected despite his age and a relatively poor showing in June, but an anti-incumbent mood could elect Republican Hank Arklin of Granada Hills, once a member of the Assembly.

## CONGRESSIONAL DELEGATION

### *Key Districts*

**District 14 (57%D-35%R)** — This used to be considered a safe district for Democrat John McFall of Manteca. But McFall has been identified as one of the recipients of Korean rice money, and now his seat is in jeopardy. The Republican nominee, San Joaquin County Supervisor Norman Shumway, is receiving heavy financial support. The question is whether McFall has built up


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enough good will through constituent service over the years to carry him through in this time of trouble.

**District 33 (55%D-39%R)** — This is the Democrats' best chance to pick up a seat now held by a Republican. The incumbent, Del Clawson, is retiring, and the district is up for grabs. The nominees are Democrat Dennis Kazarian of Whittier, aide to Congressman George Danielson, and Republican Wayne Grisham, a La Mirada councilman. Both parties are sending political munitions into this district.

**District 34 (54%D-39%R)** — Incumbent Democrat Mark Hannaford of Lakewood nosed out Republican Dan Lundgren of Long Beach two years ago. Lundgren could win the return bout.

### *Leaning Districts*

**District 3 (61%D-31%R)** — Normally, this would be considered a safe Democratic district. But the incumbent veteran John Moss of Sacramento retired, and the Republicans came up with a strong candidate. Democrat Robert Matsui, a Sacramento councilman, won a rough three-way primary contest and rates as the favorite over the GOP's Sandra Smoley, a Sacramento county supervisor. Smoley has raised a large war chest, but the territory is usually loyal to Democrats. Leaning to Matsui.

**District 16 (54%D-35%R)** — Democrat Leon Panetta probably has solidified his hold on this district after defeating a Republican incumbent two years ago. Nevertheless, there may be a fair amount of Republican money employed in an effort to defeat him. His opponent is the conservative Eric Seastrand, who has tested the political waters before without much success. Leaning to Panetta.

**District 27 (49%D-42%R)** — This district will get more attention than it probably deserves because the Democratic challenger is Carey Peck, son of actor Gregory Peck, and because the Republican incumbent, Robert Dornan, is a colorful and outspoken conservative. The district runs along the coast of Los Angeles and has a definite GOP tinge. Leans to Dornan.

**District 35 (53%D-41%R)** — The Republicans made a valiant effort to defeat Democrat Jim Lloyd two years ago and fell short by 11,000 votes. The district has uncomfortable Democratic registration, which Lloyd has exceeded with superior campaigning. The Republican nominee, Claremont College ad-

Hannaford

Lundgren

## Districts rated 'safe'

*These are the projected winners in districts considered safe in the* Journal *analysis:*

**Board of Equalization** — Democrats William Bennett and Richard Nevins. Both are incumbents.

**Congressional delegation** — Democrats Bizz Johnson, Vic Fazio, John Burton, Phillip Burton, George Miller, Ron Dellums, Pete Stark, Don Edwards, Leo Ryan, Norman Mineta, Tony Coelho, John Krebs, James Corman, Anthony Bielenson, Henry Waxman, Ed Roybal, Julian Dixon, Augustus Hawkins, George Danielson, Charles Wilson, Glenn Anderson, George Brown Jr., Jerry Patterson, Lionel Van Deerlin. All are incumbents except Fazio, Coelho and Dixon.

Republicans Pete McCloskey, Bill Thomas, Robert Lagomarsino, Barry Goldwater Jr., Carlos Moorhead, John Rousellot, Bill Dannemeyer, Robert Badham, Bob Wilson and Clair Burgener. All are incumbents except Dannemeyer and Thomas.

**Senate** — Democrats John Foran, John Holmdahl, George Zenovich, Walter Stiern, Alan Robbins, Alan Sieroty, Alex Garcia, Joe Montoya, Ralph Dills, Diane Edith Watson, Ruben Ayala, Bob Presley, James Mills; Republican Bill Craven. All are incumbents except Montoya, Watson and Craven.

**Assembly** — Democrats Tom Hannigan, Leroy Greene, Norman Waters, Mike Gage, Dan Boatwright, John Knox, Tim Bates, Elihu Harris, Bill Lockyer, Floyd Mori, Art Agnos, Willie L. Brown, Jr., Leo McCarthy, Lou Papan, Victor Calvo, John Vasconcellos, Leona Egeland, Alister McAlister, John Thurman, Henry Mello, Jim Costa, Richard Lehman, Gary Hart, Jim Keysor, Tom Bane, Howard Berman, Mel Levine, Herschel Rosenthal, Mike Roos, Teresa Hughes, Maxine Waters, Gwen Moore, Curtis Tucker, Vincent Thomas, Frank Vicencia, Richard Alatorre, Art Torres, Dave Elder, Fred Chel, Jack Fenton, Bruce Young, Bill McVittie, Terry Goggin, Richard Robinson, Peter Chacon, Wadie Deddeh. All are incumbents except Hannigan, Harris, Costa, Moore and Elder.

Republicans Stan Statham, Richard Hayden, Carol Hallett, Gordon Duffy, Donald Rogers, Charles Imbrecht, Bob Cline, Paul Priolo, Patrick Nolan, Bill Ivers, Marilyn Ryan, Dick Mountjoy, Dave Stirling, Bruce Nestande, Marian Bergeson, Bob Frazee, Jim Ellis. All are incumbents except Rogers, Nolan, Ivers, Mountjoy, Bergeson and Frazee.



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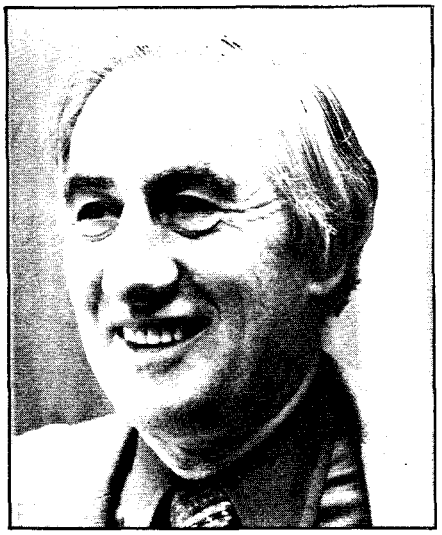
Filante



Wornum

ministrator David Drier, has a chance. Leans to Lloyd.

### *Longshots*

**District 2 (57%D-34%R)** — Republican Don Clausen of Crescent City probably will have his victory margin pared this year. Women's organizations and some Democratic leaders have taken an interest in the race and are helping speech pathologist Norma Bork of Angwin, who ran surprisingly well in the primary.

**District 37 (49%D-43%R)** — Republican Shirley Pettis is retiring from Congress and the seat should remain in GOP hands. The Republican nominee is Assemblyman Jerry Lewis, a skillful campaigner. Yet, an anti-legislative mood could hurt him and help the Democratic candidate, Dan Corcoran of Riverside.

## STATE SENATE

### *Key Districts*

**District 2 (56%D-33%R)** — This is probably the most important Senate race in the state because it is believed to hold the key to possible two-thirds control of the Legislature's Upper House by the Democrats. The incumbent, liberal Republican Peter Behr, is retiring. Democratic Assemblyman Barry Keene is the favorite to succeed him, but Supervisor Gary Giacomini of Marin County has a large following and could overtake Keene. The early polls showed Keene ahead in the north coastal district but with Giacomini the leader in Marin County.

**District 4 (59%D-32%R)** — The conventional wisdom in political circles is that Democratic incumbent John Dunlap faces the roughest fight of his life this year. That's primarily because the Republicans proclaimed Dunlap vulnerable and raised a mound of money to help the GOP nominee, Yolo County Republican chairman Jim Nielsen. But this is Democratic territory, and it will take a prodigious effort to unseat Dunlap.

**District 36 (40%D-51%R)** — It might look like a typographical error to place this district among those that could go either way. It has the largest Republican Senate constituency in the state. But the Republican candidate, former State Senator and Congressman John G. Schmitz, has angered some Orange County Republicans with his ultra-right stands and his statements about other GOP politicians. The Democratic candidate, Assemblyman Ron Cordova, won his ticket to the Legislature two years ago on a fluke, and he could end up in the Senate because of GOP defections from Schmitz. Early polls showed Cordova slightly in the lead.

### *Leaning Districts*

**District 10 (53%D-37%R)** — Democrat Arlen Gregorio normally runs ahead of Democratic registration, but he'll settle for 53 percent of the vote this year. The GOP has made him a target and is raising a war chest for Marz Garcia, a conservative former Bank of America tax specialist. Garcia ran poorly in the primary, indicating that Gregorio should be rated the favorite. Leans to Gregorio.

**District 18 (52%D-37%R)** — The Republican high command took a look at the marginal Democratic registration and decided to make this a target district for 1978. The incumbent, Democrat Omer Rains, has displayed a deft political hand. He will not be taken easily. The GOP nominee, businessman Wally Wallenbrock of Santa Barbara, should find it hard to overcome Rains' favorable image in the district. Leans to Rains.

### *Longshot*

**District 12 (53%D-38%R)** — Democrat Jerry Smith has moved up the chairs in the Senate rapidly since being elected four years ago from this marginal district in Santa Clara County. He defeated then-Senator Clark Bradley by almost 20,000 votes in 1974. The question is whether Bradley can ride an anti-incumbent, pro-conservative tide into a comeback at the age of 70.

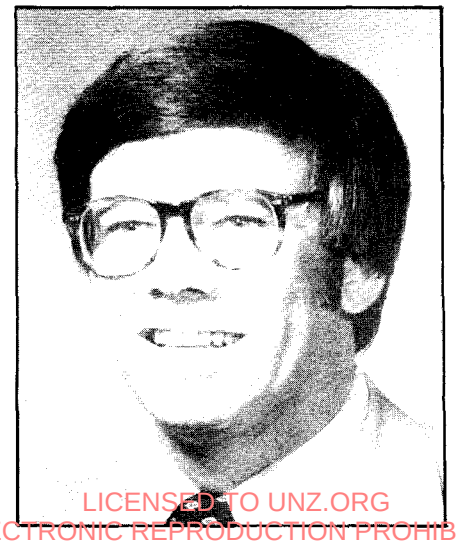
## ASSEMBLY

### *Key Districts*

**District 2 (59%D-31%R)** — Registration advantages are relatively meaningless in this north coast district, now represented by Democrat Barry Keene, who is running for the Senate. The race figures to be close between Republican

Carter

Perino



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Bob Dryden of Sebastopol and Democrat Douglas Bosco of Occidental.

**District 9 (53%D-35%R)** — The Republicans feel incumbent Democrat Michael Wornum is ripe for the picking in this marginal district north of San Francisco. Bill Filante, a water district director, is the Republican nominee and he has an excellent chance of winning.

**District 20 (51%D-40%R)** — Republicans usually carry this district, which was abandoned by GOP Assemblyman Dixon Arnett for an unsuccessful run for state controller. Menlo Park attorney Bob Naylor is the favorite, but the Democratic candidate, attorney Chris Cobey of San Mateo, could make the contest tight.

**District 26 (62%D-32%R)** — Former GOP Assemblyman Doug Carter is trying for a comeback against incumbent Democrat Carmen Perino. In the past, Perino has been able to ward off competition from Carter, but some adverse publicity, plus some heavy door-to-door campaigning by Carter, could bring about a different result this time.

**District 34 (53%D-39%R)** — This is a rematch of a mighty close decision won by incumbent Democrat Larry Chimbole over Phil Wyman two years ago. It is a GOP target district and the race should be close again.

**District 53 (70%D-23%R)** — The wonder is that GOP incumbent Paul Bannai has managed to stay in office for several years with the heavy Democratic registration in his district. Two years ago, he nosed out Democrat Cindy Wear. She's back for another crack at him, and she may go over the top this time.

**District 60 (69%D-25%R)** — Looking at the registration statistics, one might think this was in the bag for the Democratic candidate, former legislative staffer Sally Tanner. But party loyalty is soft in this district, now represented by Senator-to-be Joe Montoya, and the Republicans have an oustanding candidate in El Monte Councilman Happy Cluff. Tanner should be the favorite.

**District 62 (50%D-44%R)** — This is one of those districts that has been in the GOP column for many years. In 1976, Democrat Sandy Baldonado made the district look marginal by coming within shooting distance of Republican incumbent Bill Lancaster. This time the result could be even closer.

**District 71 (56%D-36%R)** — Looking at the election returns from 1976, it would appear that incumbent Democrat Chet Wray is fighting for his political life. He won by only 36 votes two years ago. The Republicans have made him a target, giving challenger Doris Allen of Westminster adequate funds to conduct a good campaign. Most of Wray's support comes from labor unions. It could be another squeaker.

**District 73 (46%D-44%R)** — Incumbent Democrat Dennis Mangers, a skillful campaigner, faces the task of defending a Republican district he captured two years ago. Most political pros think Mangers will be able to defeat the GOP nominee, Chuck Gibson, but re-election in this Orange County area will never be easy for a Democrat.

**District 75 (49%D-43%R)** — Incumbent Democrat Tom Suitt has been plagued with adverse publicity over the past two years, yet has a good chance of being re-elected against the Republican candidate, citrus rancher David Kelley of Hemet. The district is good for a Republican, but Suitt appears to have maintained a positive image among many of his constituents.

**District 78 (51%D-36%R)** — Democrat Larry Kapiloff might have hit re-election lode with his $1 billion tax rebate bill passed into law this year. He has never felt safe in this marginal district, and this year he faces an especially strong opponent in Republican Terry Knoepp, former United States attorney in San Diego.

### *Leaning Districts*

**District 3 (55%D-37%R)** — Re-election has not been coming easy for veteran Republican Eugene Chappie. His challenger this year is Supervisor Jim Pharris of Yuba County, but Chappie should prevail again. Leans to Chappie.

**District 5 (60%D-31%R)** — Incumbent Eugene Gualco of Sacramento abandoned this seat to run unsuccessfully for Congress. The district has a Democratic tradition and 2-1 registration. Nevertheless, Democratic nominee Ben Franklin cannot be considered a cinch, especially if the Republicans put heavy cash behind the GOP candidate, Jean Moorhead. Leans to Franklin.

**District 69 (47%D-45%R)** — Two Anaheim attorneys, Republican Ross Johnson and Democrat Paul Bell, are competing for the right to replace GOP incumbent Bill Dannemeyer in the Assembly. The district should remain in Republican hands. Johnson is an excellent campaigner. Bell has run before with little success. Leans to Johnson.

### *Longshots*

**District 67 (48%D-44%R)** — This San Bernardino County district invariably supports the Republican. This year there is no incumbent, with Assemblyman Jerry Lewis heading toward Congress. Water district director Bill Leonard won a tough GOP primary and should be elected, but there is a remote chance that he could be upset by the Democrat, attorney Steve Hauser.

**District 68 (56%D-35%R)** — Republican leaders think there is a chance for a surprise in this Riverside County district now represented by Democrat Walter Ingalls. The GOP candidate, retired retailer Bill Engel, is well known and respected in the district. If there is an anti-incumbent, anti-Democratic tide running on election day, Ingalls could be upset.

**Baldonado**

**Lancaster**

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# Hamm's Uncle Alan, a hard act to follow

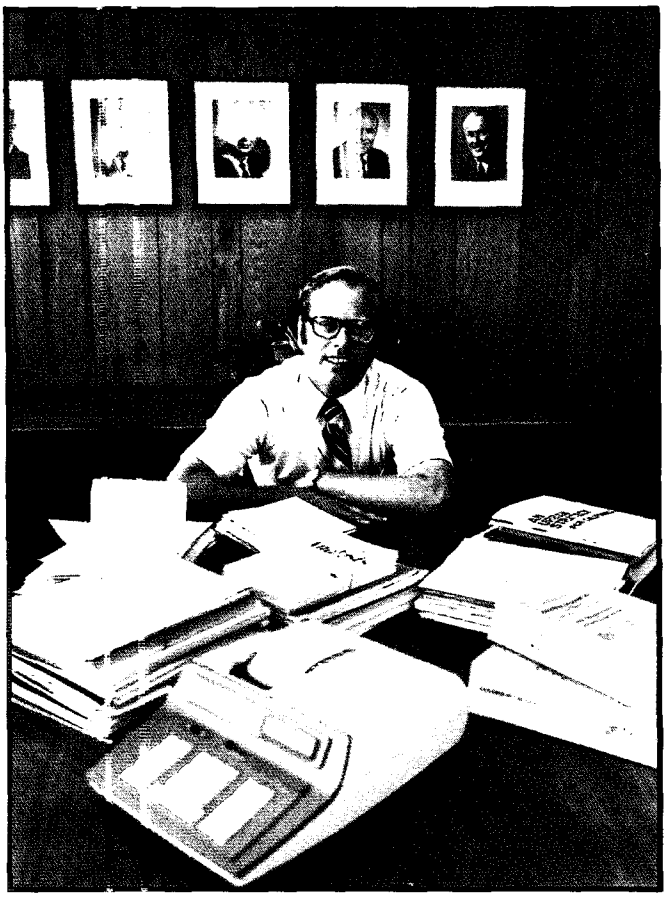

PHOTO BY EVAN NOSSOFF

**By Hal Rubin**

Bert Lance gave Bill Hamm some good advice before the young fiscal specialist headed west to his new job in Sacramento about a year ago. Lance was then director of the U.S. Office of Management and Budget (OMB) and Hamm was his deputy associate director.

"If it ain't broke," Lance advised him, "don't fix it."

Those were appropriate words to offer someone taking over the job that A. Alan Post had held for 27 years: legislative analyst for the California Legislature. Post established a nationwide reputation and made his office a model of efficiency and integrity. Democrats and Republicans alike in the Legislature still mention Post's name with a nonpartisan reverence that is rare in politics.

*Hal Rubin is a journalism professor at Sacramento State University and a frequent contributor to the* Journal.

Because nothing was broken when he took over, Hamm says, "It would have been presumptuous of anybody to come in and immediately try to change things. I am changing a few aspects of the office's approach, but nothing dramatic."

Obviously, Post's act is hard to follow, especially since Hamm is the retired analyst's nephew by marriage. Post's wife, Helen, and Hamm's mother are sisters. "When I was selected from about 100 applicants the media made a lot of the fact we were related," Hamm recalls. "One reporter accused the Joint Legislative Budget Committee of something called 'nephewtism.' "

According to Republican Senator Dennis Carpenter, chairman of that committee, and the man who set up the search procedure, the relationship was a negative for Hamm in the interview process, but the applicant's credentials were impressive enough to overcome the committee's reservations.

"I see Alan and Helen Post from time to time," Hamm says. "We always talk politics, but he hasn't tried to direct my thinking. I know he's there if I need counseling. On a couple of occasions I've asked his advice, but he hasn't been pushy about offering it." Those who are around Post these days say he sounds more like a proud parent than an uncle when he talks about his successor.

Hamm, 36 — who responds to "Bill" more readily than to William G. — was born in Washington, D.C. New York City was home until he was 14. He went to high school in Canton, Ohio and graduated *magna cum laude* from Dartmouth in 1964, picking up a Phi Beta Kappa key while majoring in government. His master's and doctorate degrees in economics were earned at the University of Michigan in Ann Arbor, where he met his wife, Kathleen. A professional economist too, she worked for the Appalachian Regional Commission in Washington.

After joining the OMB as a program analyst, Hamm served as chief of that program's Housing and Urban Development Branch from 1972 to 1976. In 1976 he supervised the analysis of programs and policies administered by three cabinet-level agencies — the Department of Housing and Urban Development, the Department of Labor and the Veterans Administration.

### The three-car garage world

Hamm finds life here considerably different from that in the East: "Every house the real estate agent showed us had a three-car garage, and my wife commented on that. The real estate agent said, 'Out here we need more than the two-car garage that you had back East.'

" 'We had only a one-car garage in Washington,' my wife said. And the agent said, 'But where did you keep your recreational vehicle?' "

California's outdoor-oriented lifestyle suits the Hamms



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fine. They are avid tennis players and swimmers and are eager to introduce their 3-year-old son, Giles, to the tennis court. Hamm also fancies himself a gourmet cook, with Hungarian dishes a specialty.

After a year in Sacramento, Hamm says he finds more rewards here than he did in Washington. "You see problems more clearly, and it isn't as overwhelming as federal government."

One of the major chores of his office is analyzing the annual budget bill and making recommendations on the proposed budget. "Some people say there are budget issues and policy issues," Hamm says, "but I don't find that distinction very meaningful." For him the most important policy document that the Legislature puts out each years is the budget it enacts.

He stresses that the Legislature is not interested in having him tell them what they ought to do. They want the analyst's office to identify the issues that the Legislature needs to act on, present the alternatives and describe the budgetary implications.

The legislative analyst's office provides fiscal analyses and recommendations on bills that come before the two fiscal committees — the Senate Finance Committee and the Assembly Ways and Means Committee. It also prepares analyses of state ballot propositions: "It isn't easy to take something written by lawyers that addresses complex matters like property taxes, and put it in English that you and I and the people on L Street would understand."

His office has complete freedom to disagree with the governor. At times a governor requests funding for a new program or expansion of an existing program, and the analyist's office recommends otherwise.

## Paper clips, anyone?

*The following memo was distributed throughout state offices as a response to the stationery freeze imposed by the state Department of General Services. Martin Glick is the director of the Employment Development Department.*

September 13, 1978

TO: Department Directors

FROM: Martin R. Glick

Because of the recently imposed freeze on office supplies, we have reviewed our stocks of paper clips, pencils and rubber bands. We find that we are well supplied with rubber bands but are running low on paper clips. We expect some delay in getting a good count on our pencils. Therefore, I am prepared to offer substantial numbers of rubber bands in trade for an option of Fiscal Year 1979-80 paper clips. Offers on pencils will receive serious consideration. Interested Directors may call 445-9212.

*Note:* Due to the shortage of other valuable supplies, this memo was not printed or distributed at State expense.

For example, Governor Brown's proposed space satellite took its lumps from Hamm's office: "We didn't quarrel with the objective of improving the state's emergency communications network. Our analysis didn't indicate that the savings claimed on behalf of the satellite could really be documented." The analyst's office also recommended against a major new program to combat the use of Angel Dust, because the accompanying plan didn't indicate the money would be used effectively. Hamm is convinced that many programs are not doing a very good job of satisfying the needs they address. "At times we lose the distinction between objectives and results," he says. "We accuse somebody who speaks out against a program that has noble objectives as being opposed to that objective."

He cites the Homemaker Chore Program, whose purpose is to help elderly citizens stay in their homes and not be institutionalized. According to Hamm, the information system in that program is so bad that there is no data about how many people are receiving services under the program, how many people are providing them, or what the effects of these services are.

"Yet the program costs $160 million annually," he adds. "We are going to ask a lot of tough questions about what these programs are accomplishing in the years ahead. Programs that have good objectives but little evidence that the objectives are being accomplished won't expand as rapidly or will even be cut back in some cases."

### The 'accidental' surplus

Arriving in California only months before Proposition 13 has created some special challenges for Hamm in his role as the Legislature's chief fiscal adviser. One of the initiative's long-range aspects that troubles him most is the inevitable increased dependence of local governments on the state for money. "You get better decisions when those who spend are also the ones who impose the taxes," he says. "Government works best when spending decisions and taxing decisions are closely linked together."

He has mixed feelings about the huge state treasury surplus. He advocates a "prudent surplus" for unexpected problems or opportunities. But he considers the current surplus an accident that occurred because previous projections of economic growth and estimated revenue were too low. Economists do not have a very good record of predicting the economic future, he confesses. "A lot of forces are at work that are not understood."

Other "accidents" contributed to the ballooning surplus, he says. The Governor and Legislature could not agree on a tax rebate, so the money that would have been returned instead remained in the treasury. Then, in response to the taxpayers' mood for fiscal restraint, the Legislature came back to Sacramento in a budget-cutting frame of mind. Result: still more surplus.

The snowball effect may only be starting, according to Hamm. The state gets most of its revenues from three taxes: the bank and corporation tax, personal income and sales taxes. Property tax payments are deducted from the first two types, so when property taxes are cut the deductions on the state tax return are reduced. This again increases the state's tax take.

Even more important, when the voters reduced the property tax to 1 percent, the principal beneficiary was the state of California, because the state in effect pays all taxes for home-owner occupants on the first $7,000 of market value. That factor alone saved the state about $650 million in 1978-1979.

### '11 on a scale of 10'

Pleased with his first year's record, Hamm credits his staff of 80, which he considers at least as capable as the OMB


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analysts in Washington and maybe a little better. His chief deputy, John Vickerman, served for 23 years with Post, and his deputies for legislation and for budget matters — Arthur Buck and Tom Dooley, respectively — were also responsible for the smooth transition from Post to Hamm, he says.

Hamm's relationship with the Legislature and the committees concerned with fiscal matters has been good so far. He expresses gratitude for their "tolerance and patience" while he learned his job. Answerable to the Joint Legislative Budget Committee, which is made up of seven Democrats and seven Republicans, Hamm has been successful in maintaining a non-partisan stance.

Party affiliation never came up in the interview with Senator Carpenter's committee, but when Hamm arrived in California for a press conference after his appointment, a reporter asked him whether he registered as a Democrat or Republican. "The last primary I voted in was a Republican primary in Ohio in 1976. The primary before that I registered as a Democrat and voted in the Democratic primary." Although that was about as noncommittal as a nonpartisan office-holder could get, the press reported that Hamm was a Republican.

Evidently he is gaining the same kind of non-partisan support that Post had. Senator Carpenter assesses him this way: "He is bright, energetic, well-informed — an articulate guy. He has been very effective and has done an impressive volume of work. I'd give him an 11 on a scale of 10."

Democratic Senator Al Rodda, chairman of the Senate Finance Committee, says he sensed some insecurity for a while because Hamm knew he was confronted by a difficult challenge. "This sometimes prompted him to be a little bit assertive, but I sense a change. He now feels more secure. I think he's done very well."

Rodda admits that he wouldn't want to occupy Hamm's office and to be called upon by the Legislature for predictions about California's fiscal future. Quoting the cartoon character Pogo, Rodda suggests that what Hamm faces is an "insurmountable opportunity."


## Gift book ideas from the California Journal Press

Someone you know has a birthday this month.
In the next 80-odd days, you'll be trying to figure out the right gift for each person on your Christmas list.
Here are some gift book ideas from the **California Journal Press:**

*A great gift that entertains as it informs:* The Cartoon History of California Politics, by Ed Salzman and Ann Leigh Brown, a 156-page book containing more than 100 drawings illustrating California's fascinating political history. Price: $5.25, including tax.

*The essential reference volume on California government and politics:* California Journal Almanac of State Government and Politics, 1977-1978 edition. Price $4.19, including tax.

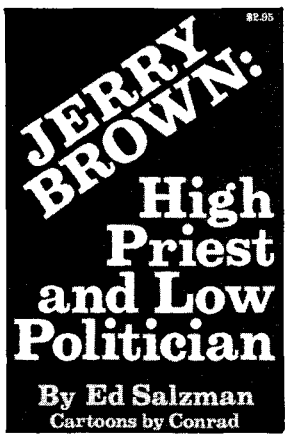
*The Whole Brown Catalog:* Jerry Brown: High Priest and Low Politician, by Ed Salzman, with cartoons and photos. Price: $3.13, including tax.

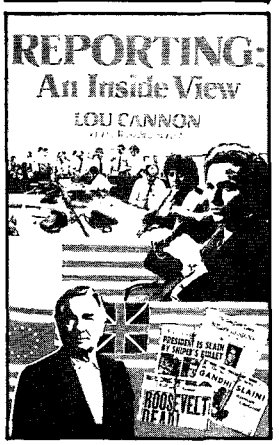
*An indictment of the industry that helped Brown hide the 1974 gubernatorial campaign:* Phantom Politics: Campaigning in California, by Mary Ellen Leary, a 191-page paperback book describing media coverage of California politics. Price: $6.31, including tax.

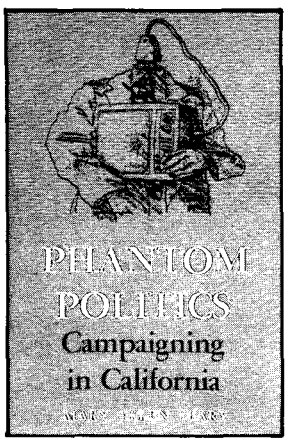
*A thoughtful analysis of contemporary problems in the press:* Reporting: An Inside View, by Lou Cannon, a 320-page book by the Journal's long-time Washington columnist. Hardback, $10.55; softbound, $5.25, including tax.

*The book that tells all about California sex laws without the slightest hint of titillation:* Sex Code of California, prepared by Planned Parenthood Affiliates of California. Price: $5.25, including tax.

*A reference book on the various elements of state government:* A Guide to California Government, published by the League of Women Voters of California. $3.50, including tax.

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# Cal-Tax under Kirk West: building a united business front

Kirk West

By DAN PURNELL

There is something slightly misleading about the name of the California Taxpayers' Association. It tends to suggest one of those consumer-conscious groups so common around the Capitol these days. But the California Taxpayers' Association — or Cal-Tax as it is more commonly known — actually means business, and usually big business. Currently it is juggling the interests of 1,300 member companies while continuing its stock-in-trade crusade against government waste and big spending.

Cal-Tax began more than 50 years ago with a coalition of business and local officials who were studying the effects of state taxes on industry. Today, it operates on an annual budget of $680,000, with a close-knit, 18-member staff. Not only does it represent a growing business membership, but it also provides research on state spending and finance that is used extensively both by Cal-Tax members and governmental decision-making bodies.

The strength of Cal-Tax as an advocate for the business community stems from several factors. One is the general dissatisfaction that big-business interests have had with other lobbying groups. Another is the desire of industry to gain credibility and support in legislative and public circles. A third is the succession of Kirk West as executive vice president of Cal-Tax. During the early '70s, big businesses became disenchanted with the representation they were getting from other advocacy groups, especially from the State Chamber of Commerce. One large corporation executive put it simply: "The chamber had too broad a constituency to be sufficiently effective as a big business representative."

*Dan Purnell, a journalism-political science graduate of the University of California at Berkeley, prepared this article as a* Journal *intern.*

### Spinning off the 'top 100'

As a result, several large corporations formed the California Roundtable, an exclusive, spin-off organization with membership limited to the top 100 California-based corporations. Because the Roundtable is not a formally registered lobbying group, most of Roundtable's 70 members also belong to Cal-Tax. One of the most attractive aspects of Cal-Tax, they admit, is the ability of Kirk West to look after their interests.

West, a one-time chief deputy under former State Controller Houston Flournoy, came to Cal-Tax in November 1974. He succeeded Robert Brown, who now heads the National Tax Foundation in Washington. West likes to say that Cal-Tax has the ability to advocate policies that are responsive to business as well as the general public interest: "We represent the public expenditure side of government reform. Our philosophy is to instill economy and efficiency in government." What taxpayer, big or little, could argue with such a goal?

West spends a great deal of his time building consensus among Cal-Tax members so that he can claim unified support when he lobbies the Legislature. This chore is sometimes as difficult as reconciling business interests with public ones, because the Cal-Tax membership also includes some smaller businesses, and their needs don't always coincide with those of the larger members. When issues arise that might divide the Cal-Tax membership, West tries to avoid them. Most involve tax problems that affect small and big business differently. Richard P. Simpson, assistant vice president and chief lobbyist for Cal-Tax, cites the recent inventory tax repeal bill as an example: "We were split right down the middle on this issue. Some of our members pay the tax and some of them would be in a position to make up revenue lost by the repeal. If we had pushed the inventory repeal, it could have been a real problem."

### The risk on Jarvis-Gann

Despite the best efforts of West and Simpson, there are some conflict-laden issues which are unavoidable. Proposition 13 was one of them. Cal-Tax officially opposed the initiative, for reasons which reveal much about the way the organization is run. Cal-Tax risked a split in its membership over Proposition 13 since many of its members stood to gain immediate relief by the measure. But Cal-Tax was convinced the proposal could eventually threaten state busi-



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ness interests. It also believed that the initiative method was the wrong way to accomplish property tax reform.

"It's not that we were opposed to what Proposition 13 was trying to do, so much as the way in which it was being done," West says. Cal-Tax believes that tax reform is best handled through the legislative process, since the subject is complex and requires much research. Clean-up legislation is still required on the amendment, West says, to mitigate some of the initiative's "bad effects." One example: the danger that local redevelopment agencies may have to default on their projects due to a lack of property tax funds.

Despite Cal-Tax's opposition, West admits that Proposition 13 has set the stage for spending and tax reform proposals which the group has been advocating for years. A consitutional limit on spending and broad-based tax cuts — two items that Cal-Tax would like — now stand a good chance of being accepted in the wake of Proposition 13. But unfortunately for Cal-Tax, the sword of Jarvis-Gann can cut both ways. The group finds itself opposing several Proposition 13-spawned ideas. One of these is the split assessment roll, which West calls "the most important consumer issue today." The split-roll concept would permit the assessment and taxation of differing types of property at differing rates. It has gained popularity in the Legislature as a means of limiting Proposition 13 benefits to residential property owners. This would obviously hurt Cal-Tax businesses, but West maintains that it would hurt private citizens, too. Businesses and utilities would simply pass their additional tax burdens on to consumers in the form of higher prices and utility rates, West says.

### Respected research

If Kirk West embodies the trust placed in Cal-Tax by its members, the research staff — headed by director John Sullivan -- is responsible for much of the credibility Cal-Tax has in local and legislative circles. "I've found Cal-Tax to be very accurate with its research," says Assemblywoman Marilyn Ryan. "They are well-respected around here for that."

Research staff work is given high priority in determining Cal-Tax positions, and it adds significant clout to Cal-Tax's lobbying efforts.

Much of it is also picked up for use in the press, by local government and by private citizens. West estimates that Cal-Tax was quoted in 1,500 news stories last year as a source of information and estimates on fiscal issues. The major external organ of the group is the *Cal-Tax News*, a bi-monthly newsletter containing much of the research findings. Editor Ralph Juvinall directs the publication toward three primary audiences: tax specialists of major corporations, local governments and media outlets. Juvinall is very conscious of the paper's focus: "I try to keep the *News* from becoming just an in-house tabloid — you know, with so-and-so shaking hands with somebody important."

In addition, Cal-Tax produces about one research bulletin a month, focusing on specific topics such as tort liability, "75 ways to cut state spending," and state administrative regulations. Cal-Tax also produces four major studies each year which examine topics too big for the monthly research bulletins. Recently it published its most popular work, "A Citizens' Guide to Local Government Budgeting." More than 5,000 copies have been printed, and a revised, post-Proposition 13 edition is scheduled for December.

### A free hand

Staff members say that, since West's appointment four years ago, they have gained greater flexibility and a better understanding of the goals of Cal-Tax study. Richard Simpson says that West "turned the organization around and has a good concept of where Cal-Tax is going." West is given almost a free hand in setting the organization's objectives. Even the most prestigious corporate members interfere rarely with the internal operation.

In an effort to improve their public image, business leaders in Cal-Tax and the California Roundtable are considering an executive loan program which would offer executives from large corporations, their skills and expertise, to local governments. Roundtable members are willing to provide the people and the money for the program, and Cal-Tax would administer the program if and when it gets off the ground. "The program would provide help to local governments that request it," says A. L. Buffington, a Roundtable spokesman. "We're not charging around saying, 'We have the solutions to your problems' or 'Where are your problems, we have the people.' It would just be for those who seek the expertise we have." Buffington says that West "has a lot of credibility with our group. They knew Cal-Tax would do the best job with this program."

Partly because of this faith that many big businesses have invested in Cal-Tax, it is easy for some observers to consider the association merely a front for corporate concerns. This impression is strengthened by the poor record Cal-Tax has for attacking tax loopholes which benefit business interests. Obviously such behavior would be suicidal for Cal-Tax, but skeptics say it would at least be consistent with the group's stated goal of "economy and efficiency" in government. Yet, even its critics agree that the business confidence Cal-Tax enjoys — plus the leadership of Kirk West and the association's research facilities — make Cal-Tax a force to be reckoned with in Sacramento.

## Selected Government Reports

**Postsecondary Education in California: Information Digest, 1978,** published by the California Postsecondary Education Commission. 330 pp. with maps, charts, appendices. Available from the Commission, 1020 12th St., Sacramento, CA 95814.

**Ombudsmen Around the World: A Comparative Chart, 2nd edition,** by Kent M. Weeks for the Institute of Governmental Studies, University of California, Berkeley. 1978. 163 pp. Available from the Institute, U.C. Berkeley, CA 94270. ($7.00)

**Public Service Conservation Work: November 1976 - June 1978;** a report of the California Conservation Corps, revised through July 1978. A project-by-project breakdown of the CCC's activities. 42 pp. Available from The Corps, 1530 Capitol Ave., Sacramento, CA 95814.

**Water Banking: How to Stop Wasting Agricultural Water,** by Soltirios Angelides and Eugene Bardach for the Institute for Contemporary Studies. 52 pp. Available from the Institute, Suite 811, 260 California St., San Francisco 94111. ($2.00 plus tax)

**Social Welfare in the 1980s and Beyond,** by Eveline M. Burns, published by the Institute of Governmental Studies, University of California, Berkeley. 20 pp. with appendix. Available from the Institute, 109 Moses Hall, University of California, Berkeley 94720. ($4.00 plus tax)

**Health Manpower Licensing: California's Demonstration Projects,** by Dick Howard and R. Douglas Roederer for the Council of State Governments, under a grant from the National Science Foundation. 40 pp. Available as RM 631 from the Council, 145 Post Street, San Francisco 94108. ($3.00 plus tax)

**The Prospect for Presidential-Congressional Government,** Albert Lepawsky, editor, for the Institute of Governmental Studies, University of California, Berkeley. 110 pp. Available from the Institute, 109 Moses Hall, University of California, Berkeley 94720. ($6.00 plus tax)



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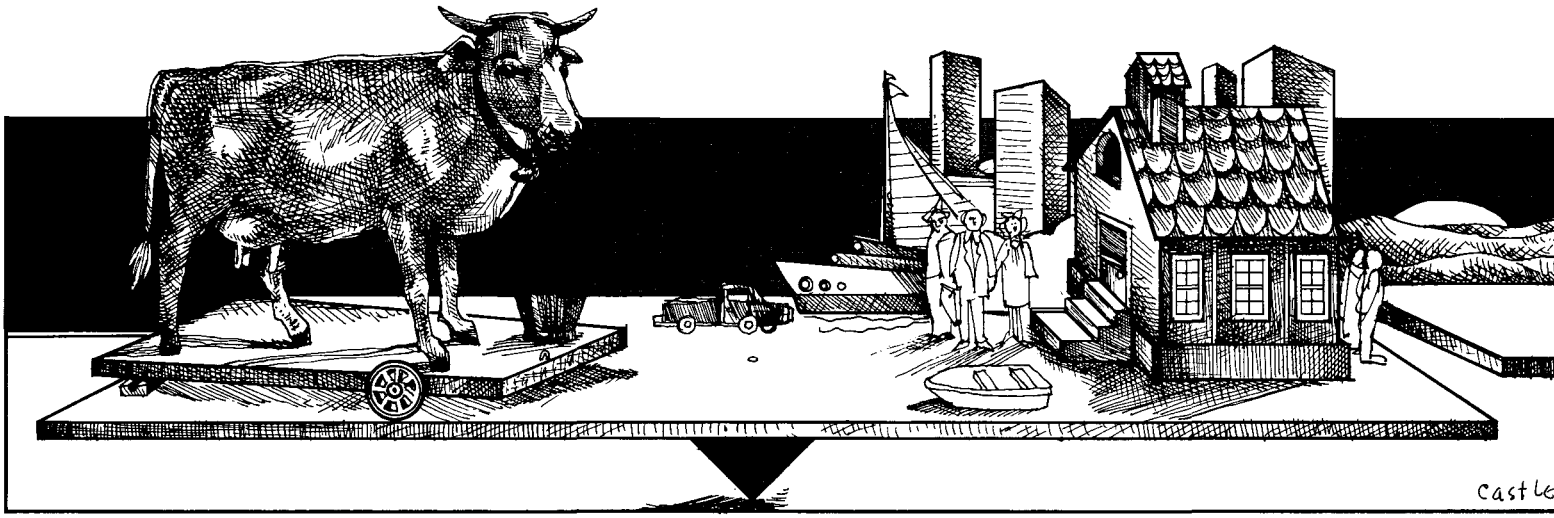
# New Assembly coalition – the 19-member rural caucus




By ELAINE I. LEVY

What does public transportation mean to people who live where the bus stops are more than 20 miles apart? What happens to a school budget after Proposition 13, when more than 40 percent of that budget is just for heating the buildings?

In the state Assembly, a bipartisan group of 19 legislators has banded together to deal with such questions and seek some answers. They call themselves a "rural caucus," but they define "rural" as sparsely populated, not necessarily agricultural. While all 19 members have low-density areas within their districts, many also have cities and large towns in these same districts. Balancing the needs of both areas is one of the reasons for the formation of the caucus.

But the most important reason, according to chairman Gordon Duffy, is to represent those people he claims are under-represented. "They don't fall into any other category," he says, "so this is part of a change in government towards meeting the needs of these people."

### Dialogue on mutual concerns

The caucus meets almost weekly during the session to discuss mutual concerns. Throughout their summer meetings, Proposition 13 dominated the dialogue: Could special districts be combined to realize some savings? Could funds being saved for a specific purpose be used for that purpose, or were they considered part of a government's reserves that could not exceed 5 percent? Could the state undertake police and fire protection duties on state highways and in state recreation areas which, until now, had been assumed by local agencies? Could rural-area governments continue to afford fighting fires on the center dividers of state highways, or sending local police to aid motorists on those highways? Such questions are of special importance to voters in low-density areas — and their Assembly representatives, working together, may seek legislation to provide answers.

### The pro-growth coalition

The caucus members also consider it vital that a counterpart group be organized in the Senate. The impact of many Senate bills on rural areas often isn't understood, they believe. For example, Assemblyman John Thurman cites a Senate bill intended to transfer a certain function from a probation department to a welfare department. "It only applied to seven counties and was unfair to the small counties," he says. "Because of the quick work of the rural caucus, it was defeated."

Another bill would have required that dead bodies which will be transported out of an area be held for 72 hours before transport. "Why, one county would have had to buy an ice cream truck to store a body," Thurman says. "These rural areas have no facilities if, say, a motorist is killed while driving from the coast to the mountains." The body-storage bill was defeated, as was another one requiring separate facilities for criminal and non-criminal juvenile offenders. "That's fine for the big cities and counties — but what about small counties with two-cell jails? They can't afford it," Thurman says.

*Elaine I. Levy is a free-lance writer in Sacramento.*



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## From Elk, Highland and Plymouth

Members of the rural caucus: Eugene Chappie *of Roseville*, Larry Chimbole *of Palmdale*, Gordon Duffy *of Hanford*, Leona Egeland *of Morgan Hill*, Vic Fazio *of Sacramento*, Mike Gage *of Napa*, Carol Hallett *of Atascadero*, Charles Imbrecht *of Ventura*, Barry Keene *of Elk*, Richard Lehman *of Fresno*, Jerry Lewis *of Highland*, Ken Maddy *of Fresno*, Bill McVittie *of Chico*, Carmen Perino *of Stockton*, Stan Statham *of Chico*, Tom Suitt *of Palm Springs*, William Thomas *of Bakersfield*, John Thurman *of Modesto* Norman Waters *of Plymouth*.

The rural caucus members are equally proud of some bills that have been introduced because of their efforts:

- Assemblyman Gordon Duffy introduced AB 2522, which limits the application of a law on embalming to counties that own and maintain a central morgue with a paid, full-time staff. This limitation frees many small, sparsely settled counties from unnecessary expense.
- Another bill, sponsored by Assemblyman Norman Waters, deals with seasonal liquor license conversion. Previous law limited the conversion potential and restricted transfers to counties with populations of more than 50,000. Waters' bill eliminates the population limits and eases the transfer restrictions.
- Two education bills have had strong support from the rural caucus. AB 2773 limits a county's per-pupil contribution for special education to $1,500. Existing law sets a straight 30 percent reduction of reimbursement rate, which penalized rural districts with a higher per-pupil cost than other districts. The other bill, AB 2642, deals with non-instructional costs of schools and calls for additional state appropriations to help districts cover these costs.

### Continuing problems

There are several areas of continuing concern for rural Assembly members:

- ***Tourism and recreation.*** Many rural districts provide the routes between the city dwellers and their recreational playgrounds. For example, the Pacheco Pass area in Assemblywoman Leona Egeland's district gets thousands of tourists passing through — from the valley to the coast. Although little tourist money stops here, local fire, police and ambulance services are often required for highway accidents. With the passage of Proposition 13, local governments in this area have threatened to ignore distress calls from motorists on the freeways or to charge the state for the services. The caucus wants somehow to head off this kind of regionalism.
- ***Rural growth.*** Every year more people move from large cities to smaller ones and to the country. The economic and political impact of this migration is important to members of the rural caucus. They want to be sure that the qualities which make rural life so attractive are not spoiled by the people moving to find them.
- ***Processing plants.*** It is becoming more economical for processors of milk, for example, to move closer to the herds than to transport raw milk to urban areas to be processed. The impact on the rural economy may require new legislation.
- ***Proposition 13.*** With thousands of local governmental bodies in California, the problems resulting from Proposition 13 are not easily solved. The caucus wants rural areas to be fairly treated in any legislation introduced to deal with the realities of Jarvis-Gann. In education for example, "it is virtually impossible to cut costs in a school that serves an area of hundreds of square miles, yet may only have 150 pupils who must be bused to school," says Assemblyman Duffy.
- ***The 5 percent reserves.*** Cities which accept bailout funds from the state surplus must limit their reserves to 5 percent of their total budget. For a small city with a small budget, 5 percent is very little. Also many rural governments are paying non-competitive salaries now. If they continue to freeze salaries, they fear they will lose employees.

With such problems in common, the 19 members of the rural caucus have reason to stick together. They may form less than one-fourth of the Assembly's total, but their combined voices will speak louder in the legislative halls than any one of them could.


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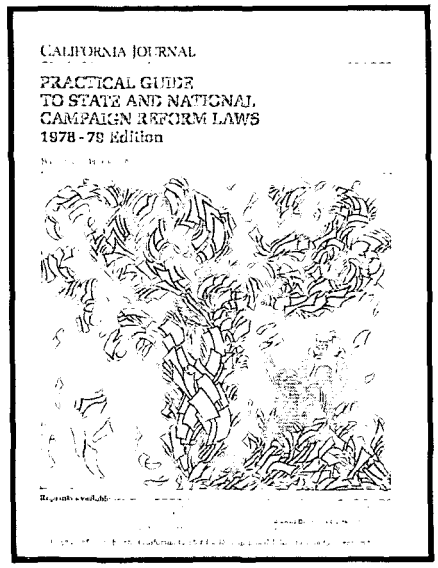


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# Life after Jarvis

# How to end 'coordimeetparalysis' and reorganize local government

*What effect will Proposition 13 have on the structure of government in California? In the following article, UCLA law professor Donald G. Hagman outlines a proposal he claims will make government more responsive to the needs of the public and save money as well. Hagman is the author of "The White Curtain: Racially Disadvantaging Local Government Boundary Practices."*

## By Donald G. Hagman

If Governor Brown's Commission for Government Reform does creative work and the politicians bite the bullet, then radical reformation of the 6,502 local governments in California could be one of the most useful effects of Proposition 13. True, successful statewide reform is without precedent in the other 49 laboratories of democracy. Montana's, in 1976, was the most innovative recent effort. It involved an expenditure of $2 million in governmental funds and was largely a bust. But people were not then as mad as hell. They were still willing to take it.

The commission may not have time to study the radical reformations of recent years in England, New Zealand and Sweden, but it should take time to study domestic reform proposals. For example, there is no sense in its duplicating the $2.7 million studies of the New York State Commission on Local and on New York City Government, conducted in 1973.

Closer to home, there was the study called Public Benefits from Public Choice. That $279,000 study by Governor Reagan's Task Force on Local Government Reform got underway in November 1972, when there were 744 fewer local governmental bodies in California than there are today. There's much food for thought in the report, but the effort was captured by libertarian fragmatists and the 77-page report, with its 500 supplementary pages, was quietly filed away.

There are grassroots proposals in California for Governor Brown's commission to study. It should analyze why three areas voted by large majorities to secede from Los Angeles County in the November 1976 and June 1978 elections. One area will try again in November, as will the northern part of Santa Barbara County. Are these go-it-alone quests to be stonewalled until some populist in Jarvis/Gann-shining armor requires the state to do in weeks what it should have done during the past 100 years?

### A decentralized dream

Having studied local government reformation here and abroad, and having served as chair of the state's first county formation review commission, I here share some ideas on a distilled version of how to lower government costs and to eliminate the fiscally, functionally and geographically fragmented; the powerless, ineffective, inefficient, undemocratic, inequitable, arbitrarily bounded fiefdoms that characterize regional and local governments in California today.

- ***My dream*** — call it regionalized decentralism — begins with a state commission which establishes regions throughout the state. A region is a place within which most externalities are internalized. It's a place from which few spillovers spill. It's an area with some common Social, Economic, Geographical, Environmental Significance — a "SEGES"-boundaried place. It's a place within which commuters commute; most read the same major newspaper; phone calls are not long-distance. Determining a region is a difficult but technical exercise.

Once each region is determined, a county boundary is drawn around it. No longer arbitrarily defined, counties would thus contain regional governments, shaped to deal with regional problems as defined by SEGES reality. All other special purpose regional agencies — transit, air pollution, water pollution, coastal conservation and so on — would be shot without trial.

- ***The state commission*** would next tour the regions, starting with the most fragmented. Supplemented by local representation, it would set boundaries for cities based on local community SEGES principles. All urbanized areas would be placed within a city — and because "local" is a concept incompatible with "large-in-size," cities over 250,000 or so would probably not be permitted. With a few exceptions, all local special districts would be eliminated. No part of the California turf would be within more than one regional and more than one local government. The ban on special purpose governments would include school districts, because the government representing the general community should be reinforced with a government serving the same community's educational needs.
- ***Once city boundaries*** are appropriately set, it would be necessary to assign powers. Since there would be only cities and counties, it would be impossible to approach matters as we now tend to do: fitting a specialized unit of government to such problems as transportation, air pollution control, dog-catching, and so on. We in the Los Orange Angeles region would have to get along without our 849 geographically and functionally fragmented, overlapping governments — charged to provide for partial weal, frequently at the expense of total weal.

Under regionalized decentralism, power would be concentrated in the decentralized cities, or in the county for rural areas. The responsible government need not be the service provider. While it can provide a service itself, it can also contract with other governments or with private vendors. But if a citizen has a problem with any nonfederal or nonstate public service, he or she can deal with the nearest city hall. Officials there would bear the responsiblity of dealing with all local governmental problems. No longer would the citizen be shunted from agency to agency in a quest for some government that has the power to solve a problem — only to find, under a fragmented system, that no government can solve the problem. Caring employees in such agen-


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cies spend much of their time in what I call "coordimeetparalysis" and become as demoralized as the citizen, cursing the system which impairs solution-finding.

In a system in which cities have concentrated power, regionalism is not achieved, as now, by assuming local government irresponsiblity and creating regional policemen. It is rather achieved by repealing the prevailing "screw-thy-neighbor" rule and replacing it with the "good-neighbor" rule. This rule applies both to counties and to cities. The screw-thy-neighbor rule is that a government is only responsible to the people who live within its borders. That's present policy, and it imposes hardly a whit of a duty to those burdened by a decision if they are outside the boundaries of the decision-making government. The good-neighbor rule is that a government can't act (or is presumed to have acted improperly) if the public affected by the decision is adversely affected.

This is up-from-the-bottom rather than down-from-the-top regionalism, but it can work only if local governments can afford to be good neighbors. Since access to the tax base and the need for public services is not uniform throughout the region, at least one major function must be assigned to the regional level: It would be the primary revenue raiser. The regional government would distribute revenues to cities based on need. That need would be measured by how much it would cost the county government to provide a minimum standard of service, which is some reasonably high, statistically determined fraction of average performance.

Such redistribution is appropriate, since everyone is within one economic region — where we are all taking in one another's washing, so to speak. The region should take care of its own. In terms of public services, there would be no need to utilize a sticky-fingered state or federal bureaucracy to redistribute intraregional goodies.

Remember also that only the financing would come from the region — the actual provision of services may not. If economics are on its side, the county may be the provider because cities will contract with it as the most efficient producer. Cities may provide services for themselves, even if it costs more, if they want to be inefficient — but they get no more money. Thus, the system would be designed to promote the most efficient combination of service-providers.

### Offering options

Of course, persons in the different city areas will not all choose the same public services. Some would prefer to have a Rolls Royce rather than a good neighborhood library; some would prefer a lousy library but better police service. But reasonable minimum levels of most services would be required, because people in poorly served communities would otherwise have too much incentive to enjoy a free ride on another area's better services. It would be very costly to exclude them.

Regionalized decentralism still could provide flexibility. Regions could differ, because inter-regional free riding is difficult. On the local scene, if a city should want to provide only the minimum for all services, it could declare a fiscal dividend to its residents from its regional share. In such a city, the people would have decided to spend more of their money in the private sector.

If a resident didn't like the public-sector spending patterns in his or her community, he or she could move to a nearby city. There would, after all, still be a large number of cities to choose from, especially in urban regions.

If people in an area wanted extraordinarily fine public sector services, cities would be permitted to provide them — but only so long as the recipients paid for them. Under the present system, many local taxes are shifted elsewhere, and if taxes are not actually a burden on those who live in the area, one can increase one's services at someone else's expense. That hardly discourages opting for additional services. For example, residents of Beverly Hills in 1970 paid about $11 per capita in local sales taxes. Under the state formula, Beverly Hills got back almost $84 per person. So, at someone else's expense, Beverly Hills residents had services worth eight times what they paid in.

### The model's virtues

In summary, there are several reasons why the model of regionalized decentralism is worth examination:

- It promotes equity by providing reasonably equal, minimum public services regardless of wealth.
- It maximizes freedom by offering a large number of small cities from which people can select their places of residence.
- It improves accountability of government by concentrating power in those cities, so that voters can know their government officials and their records.
- It lowers the cost of government by improving efficiency and accountability. The present screw-thy-neighbor rule doesn't save costs; it just shifts them to someone else.

There are other efficiencies from regionalized decentralism. Efficiency is promoted by having you pay for what you get. By establishing only one regional and one local government per area of turf, mismatch and overlap are eliminated. No invisible special district government produces more or less than is desired. Costly government employees can produce rather than coordinate.

Elimination of special districts also means there are fewer special regulatory bodies. Too often they either are captured by special interests or are otherwise showering the private sector with myopic edicts in a frenzied zeal to produce more of the good each specialized agency is in charge of producing.

Finally, there are the economies of scale. The financing scheme of regionalized decentralism encourages the production of services by that entity or combination of entities — public or private — which can do the job at the lowest cost.

But realistically speaking, the chances of logical, creative reform are remote. Politicians appear to suffer from the same "coordimeetparalysis" that affects many government employees — until activated by a voter sledgehammer like Proposition 13.

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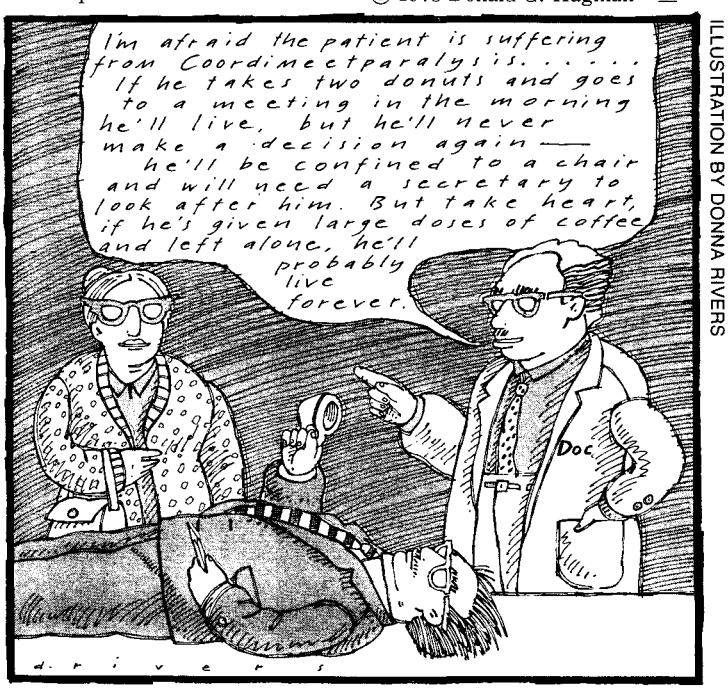
I'm afraid the patient is suffering from Coordimeetparalysis. . . . . If he takes two donuts and goes to a meeting in the morning he'll live, but he'll never make a decision again — he'll be confined to a chair and will need a secretary to look after him. But take heart, if he's given large doses of coffee and left alone, he'll probably live forever.
Doc

ILLUSTRATION BY DONNA RIVERS



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# California *CAPSULES*

**High court upholds Proposition 13 against major attacks** In a surprisingly rapid and unanimous decision, the state Supreme Court on September 22nd upheld the constitutionality of Proposition 13, claiming that the measure "survives each of the serious and substantial attacks" made against it. The 62-page majority decision was written by Associate Justice Frank Richardson and signed by five of his colleagues. Chief Justice Rose Elizabeth Bird filed a "concurring and dissenting" opinion in which she argued that one provision of Proposition 13 — the one that will result in people with identical parcels paying different amounts of property taxes — should be thrown out.

The majority rejected arguments that the Jarvis-Gann initiative was a revision rather than an amendment to the state constitution, that it illegally covered more than one subject and that it violates the equal-protection clause of the United States Constitution because it freezes the assessments of some properties at 1975 levels. The court did not decide several other issues, including the contention that the measure impaired management-labor contracts already in existence.

The decision was generally considered a political plus for Governor Brown, Bird and other justices facing the voters this November.

**LA school buses roll after Supreme Court overrules appeals panel** On September 7th, only a few days before public schools were scheduled to open in Los Angeles, the state Supreme Court reversed a ruling by a Court of Appeal and ordered that a desegregation plan be put into effect for the city. By a vote of 5-2, the court handed down a four-sentence order stating that buses could roll while mandatory portions of the desegration plan were being appealed. Busing started the following week, as scheduled.

**PUC allows hike in gas rates, lowers PG&E electricity bills** In a major decision, the state Public Utilities Commission September 6th increased gas rates and reduced electricity prices for customers of the Pacific Gas and Electric Company. Most of the cost changes will apply to industrial users, but hereafter the cost of gas to homeowners will rise rapidly as the customer hits a new bracket in a five-tier rate structure. The residential portion of the decision is designed to provide a stronger conservation incentive. Electric rates were cut to reflect a change from expensive oil generation to cheaper hydroelectric power, which was cut back sharply during the two-year drought.

# Newsmakers

## *Dynasty in the making?*

Assembly Speaker Leo T. McCarthy tightened his already-firm grip on the Legislature's Lower House with the election of his one-time aide, **Art Agnos** of San Francisco, as chairman of the Assembly's Democratic caucus. Agnos easily defeated **Bill Lockyer** of San Leandro. Agnos succeeds **Julian Dixon,** who is headed for Congress . . . Other winners of legislative leadership posts: **H. L. (Bill) Richardson,** Senate Republican caucus chairman; **Jerry Smith,** chairman of the Senate judiciary committee; Assemblyman **Richard Robinson,** chairman of the joint legislative audit committee; **Carol Hallett** and **Paul Bannai,** Republican members of the Assembly rules committee.

Congressman **Ed Roybal** testified before the House Ethics Committee that he accepted a $1,000 gift from Korean businessman Tongsun Park in 1974, failed to report the contribution and might have pocketed the money instead of depositing it in his campaign fund. He denied having lied about the gift. Congressman **Charles H. Wilson** also denied charges that he had lied to conceal a $1,000 gift from Park.

Five "independent" candidates have qualified for the ballot by obtaining sufficient signatures of registered voters, according to Secretary of State March Fong Eu. The candidates are: **Ed Clark,** Libertarian Party candidate for governor; **David Bergland,** 36th Senate District; **Ed Ogawa,** 42nd Assembly District; **Armando Muniz,** 59th Assembly District; **Jim Gallagher,** 73rd Assembly District.

State Senator **Ruben Ayala** was cleared by Attorney General Evelle Younger of any wrongdoing in a three-year-old incident involving alleged juggling of staff salaries and in a two-year-old controversy involving a trip to Mexico . . . Dead at 73: **Hal Dunleavy** of San Francisco, a pioneer political pollster . . . Governor Brown announced that he will not appoint Los Angeles City Councilman **Arthur Snyder** to a judgeship, as suggested by Mayor Tom Bradley. A judgeship for the Republican Snyder theoretically would pave the way for the election of a Chicano as his successor.

**Sim Van der Ryn,** nonconformist state architect and champion of the small-is-beautiful philosophy, resigned to develop "environmentally benign communities." He was succeeded by **Barry L. Wasserman,** deputy state architect and former president of Lawrence Halprin and Associates, a planning and urban-design firm . . . Brown also named **Jack L. Taufer** of La Canada as interim superintendent of banks, replacing **Carl J. Schmitt,** who had resigned. Taufer has been in the department since 1965.



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# An early Christmas

Santa Claus arrived in California almost four months early this year. And his sleigh was driven by a team of Democratic donkeys, miraculously transformed from Republican elephants.

On August 30th, Governor Jerry Brown took the final step that will result in some $1 billion in cash gifts being distributed to Californians as reductions in 1978 income taxes. The money comes out of the huge state surplus in direct response to the June vote on the Jarvis-Gann initiative.

The bill, which passed the Legislature without dissent in final form, contains provisions that have been in the Republican playbook for several years. But Proposition 13 changed the Democratic strategy, and the Christmas-tree package emerged under the authorship of a Democrat, Assemblyman Larry Kapiloff of San Diego (who faces a tough re-election struggle this year). Governor Brown signed the bill into law with full fanfare and surrounded by six Democratic legislators. He called the bill "the largest state tax cut in the history of California." Republicans claim it could have been much larger, given the fact that the state surplus keeps growing as though Capitol Park were loaded with ever-bearing money trees.

### Parts of the package

The main elements in the pre-election tax package:

- An increase in the standard income-tax deduction from $25 per person to $100 per person for this year only. (For couples filing joint returns, the increase is from $50 to $200.)
- A change in the way income taxes will be paid in the future. Hereafter, brackets will be adjusted to account for inflation exceeding three percent a year. This practice is known as "indexing" because it is tied to the cost-of-living index.
- A once-in-a-lifetime exemption from capital gains taxes on profits (up to $100,000) from the sale of a personal residence.
- Additional income-tax credits for extremely poor senior citizens and for elderly renters.
- Initiation of a $37-a-year renter credit on income taxes for those on welfare. (This benefit is now limited to those not receiving welfare.)
- Extension to the disabled of certain tax breaks now given senior citizens.

What does all this mean for a typical California family of four? The state Department of Finance has come up with the following estimated savings in 1978, when the major element will be the increased personal deduction, and in 1983, when indexing will provide significant relief:

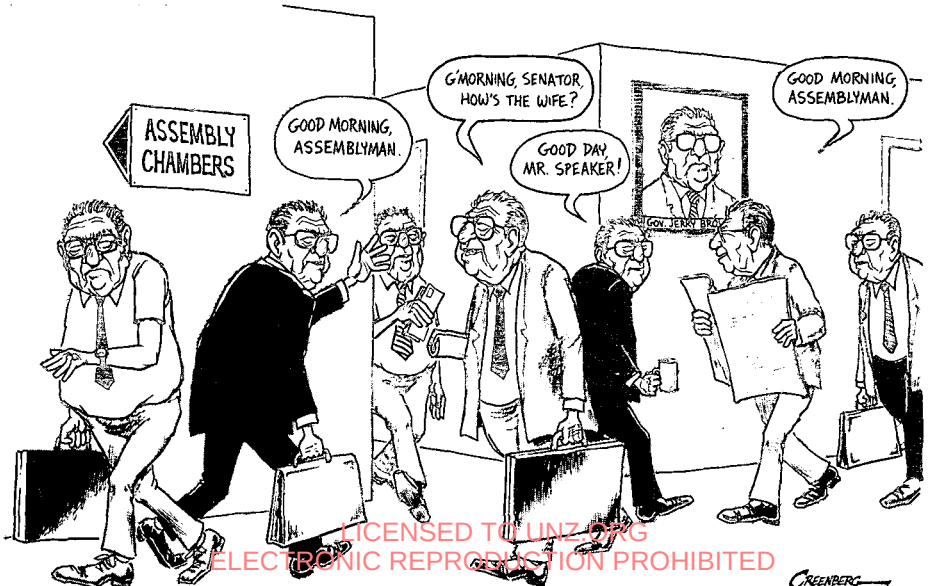
| Adjusted gross income | Current tax | 1978 savings | 1983 savings |
|---|---|---|---|
| *$15,000* | *191* | *161* | *65* |
| *$20,000* | *384* | *168* | *98* |
| *$25,000* | *653* | *186* | *146* |
| *$30,000* | *988* | *196* | *203* |
| *$50,000* | *2,837* | *240* | *417* |

This chart is based on the assumption that the cost of living will continue to rise at the rate of about 15 percent a year.

While lawmakers were able to agree on the income-tax package, they could not work out a compromise on another major bill designed to give welfare increases to the aged, blind and disabled and to provide extra Proposition 13 bail-out funds to hard-hit special districts. This measure was also known as a "Christmas tree" bill, and it fell by the wayside because senators did not like the array of gifts placed in the goodie bag by the Assembly. "Our friends in the Assembly tried to put too big a load on too little a donkey," observed Senate President pro Tempore James R. Mills.

### Tougher terms

One major bill was passed that hardly fit the Christmas mood. An anti-crime measure, authored by Senator Robert Presley, was signed into law by Governor Brown on September 6th. The bill will increase prison terms for those




Cartoon by Steve Greenberg, *The Valley News*, Van Nuys.

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found guilty of 43 serious crimes. It was supported by law-enforcement organizations, and Brown took credit for getting the bill out of the liberal Assembly criminal procedure committee. Those who opposed the bill claim that it is premature because the state's determinate-sentencing act has not been in effect long enough to be evaluated.

The crime bill was passed by the Legislature during a frenzied last week of activity, during which about 150 bills died because lawmakers simply ran out of time. When the final week started, there were some 600 measures still to be considered, and it was apparent that some of them would get lost in the crunch.

Whenever this occurs — and it used to be the rule rather than the exception — many lawmakers and lobbyists lose their cool. In a logjam situation, each individual attempts to steer his or her measures down the river of legislation to the Governor's desk — and they don't always care which other vessels capsize in the process.

Assembly Speaker Leo T. McCarthy said that this year's finish was the most chaotic he has seen since his arrival in Sacramento a decade ago. He said he would propose rules changes in an effort to prevent the same thing from happening again. One of the reasons the logjam develops is that the leaders of both houses have become lenient about allowing reconsideration of measures that have been defeated. McCarthy said the problem at the end of the session this year was that too many bills were returned to the house of origin for consideration of amendments just before the end of the session.

Many times in the past, legislative leaders have promised to push for reforms that will break the logjam permanently. In some instances, the rules have been changed. The problem, however, has not been the nature of the rules. It has been the willingness of the leaders to be generous with their colleagues and to let them waive the rules. In this sense, every day is Christmas in the Legislature.

| **Senate (26D, 14R)** | AB 2629 AB 2984 AB 1222 AB 3056 | SB 2223 SCA 61 AB 2986 AJR 109 | AB 1091 AB 512 AB 1032 SB 535 | | AB 2629 AB 2984 AB 1222 AB 3056 | SB 2223 SCA 61 AB 2986 AJR 109 | AB 1091 AB 512 AB 1032 SB 535 |
|---|---|---|---|---|---|---|---|
| Alquist (D) | YYYN | NNNN | YYNN | Marks (R) | NYYY | NY*Y | YYYN |
| Ayala (D) | YY*Y | YYYY | YYYN | Mills (D) | NYY* | YY*Y | YYYN |
| Behr (R) | Y*Y* | YNNN | YYYN | Nejedly (R) | NNY* | YYNN | NNNN |
| Beverly (R) | YYNN | NNNN | YYY* | Nimmo (R) | YNNY | NNNN | NNNN |
| Briggs (R) | ***N | *N*N | NNN* | Petris (D) | Y*YY | Y*YY | YYYY |
| Campbell (R) | N*Y* | Y*NN | **NY | Presley (D) | YNNN | YYNY | NYYY |
| Carpenter, D. (R) | *N*N | *NNN | NN** | Rains (D) | YYYY | YYYY | YYYN |
| Carpenter, P. (D) | YYYY | Y*YY | **YY | Richardson (R) | N**N | NNNN | NNNY |
| Cusanovich (R) | YNNY | *NNN | NYNY | Robbins (D) | *Y** | YY*Y | YY*Y |
| Deukmejian (R) | Y*NN | *NNN | NNNY | Roberti (D) | NYNY | YYYY | Y*YY |
| Dills (D) | YNYY | YNYY | YNYN | Rodda (D) | YYYY | YNNY | YYYY |
| Dunlap (D) | YYY* | YYYY | YYY* | Russell (R) | *NNN | YNNN | N*N* |
| Foran (D) | *Y*Y | YYNN | YYY* | Sieroty (D) | NYYY | Y*YY | YYYY |
| Garamendi (D) | YYYY | NYYY | YYYN | Smith (D) | NYYY | YYNY | YYNN |
| Garcia (D) | **N* | **YY | Y*** | Song (D) | ***Y | **** | **** |
| Greene (D) | YY*Y | ***Y | YYY* | Stiern (D) | YYYY | Y*** | NYNN |
| Gregorio (D) | *YYY | YNNY | NYY* | Stull (R) | YNNN | YNNN | NNNN |
| Holden (D) | N*YY | **YY | Y*YY | Vuich (D) | YYYN | NNNY | YYNN |
| Holmdahl (D) | *YYY | YYYY | YNNN | Wilson (D) | NYYY | NNNN | YNYN |
| Johnson (R) | YNNN | *NNN | NYNN | Zenovich (D) | YNYN | NNNY | YYYY |

## VOTING RECORDS

Listed here are the votes of legislators on recent major roll calls through the end of session. Votes selected involve issues of major importance and issues on which there was a major division of opinion, or both.

**Y - Yes** **N - No**
*** — Absent or not voting**

A ⅔ vote is required for urgency measures, constitutional amendments, and appropriations.

**Assembly:** 41 votes required for passage of bills needing a simple majority. (⅔ = 54 votes)

**Senate:** 21 votes required for passage of bills needing a simple majority. (⅔ = 27 votes)

# Senate

### BUSINESS

**AB 2629** (Lehman) — Prohibits restaurants from serving margarine unless a notice is placed in the menu. Passed 21 - 10.

**AB 2984** (Bates) — Requires Public Utilities Commission approval for any public utility to manufacture or control a solar-energy system. Passed 21 - 10.

### HEALTH AND WELFARE

**AB 1222** (Vasconcellos) — Prohibits smoking in grocery stores during business hours. Passed 22 - 10.

**AB 3056** (Berman) — Requires that a health facility receiving a construction loan serve the needs of all persons in its service area. Passed 21 - 12.

### PROPOSITION 13

**SB 2223** (Gregorio) — Appropriates additional funds for special districts, welfare recipients and mental-health programs. Conference report rejected, 22 - 9 (27 votes required).

**SCA 61** (Garamendi) — Proposed constitutional amendment to limit government spending. Conference report rejected, 13 - 18.

**AB 2986** (Bates) — Requires landlords to pass Proposition 13 tax savings on to tenants. Defeated 12 - 21.

### MISCELLANEOUS

**AJR 109** (Maxine Waters) — Would ratify proposed amendment to United State Constitution giving residents of the District of Columbia representation in Congress. Motion to suspend rules to allow a vote on the resolution failed, 22 - 16.

**AB 1091** (Berman) — Establishes collective-bargaining procedures for employees of the University of California and the State University system. Passed 24 - 13.

**AB 512** (Goggin) — Prohibits police from making surprise searches of newspaper offices to obtain notes and files concerning criminal activities. Passed 23 - 10.

**AB 1032** (Berman) — Prohibits housing discrimination against students. Passed 21 - 15.

**SB 535** (Campbell) — Establishes procedure for adopted persons to make contact with their natural parents if all parties are agreeable. Conference report rejected, 13 - 17.

# Assembly

### BUSINESS

**AB 43** (Robinson) — Authorizes telephone companies to charge customers for directory-assistance calls exceeding 20 per month. Passed 56 - 17.

**SB 1645** (Ayala) — Would not make a bartender liable for injuries caused by a person's intoxication. Passed 49 - 21.

### ELECTIONS

**AB 2183** (Keysor) — Appropriates $1.3 mil-


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lion to finance direct state mailing of ballot pamphlets (instead of by county clerks). Passed 41-28.

**AJR 109** (Maxine Waters) — Would ratify proposed District of Columbia representation amendment to the United States Constitution. Passed 64-15.

### JUSTICE

**AB 512** (Goggin) — Prohibits police from making surprise visits to newspaper offices for information gathered in connection with stories about crime. Passed 43-30.

**SB 815** (Song) — Eliminates authority of grand juries to issue criminal indictments. Conference report rejected, 35-40.

**SB 1980** (Richardson) — Increases prison terms for sex offenses. Motion to withdraw bill from committee for floor vote failed, 37-28 (41 votes required).

### MISCELLANEOUS

**SB 1489** (Holden) — Makes the birthday of Martin Luther King Jr. a school holiday. Passed 41-34.

**AB 1091** (Berman) — Establishes collective-bargaining procedures for employees of the University of California and the State University system. Passed 59-15.

**SB 535** (Campbell) — Establishes means for adopted persons and their natural parents to contact one another if both desire to do so. Conference report adopted, 42-34.

**AB 3056** (Berman) — Requires health facilities receiving construction loans to serve the health needs of all persons in their service areas. Passed 41-37.

**SB 1336** (Alquist) — Would authorize the Senate to fill a vacancy in an appointive office if the Governor failed to do so within 60 days after the vacancy is created. Failed 29-44.

| Assembly (57D, 23R) | AB 43 SB 1645 AB 2183 AJR 109 | AB 512 SB 815 SB 1980 SB 1489 | AB 1091 SB 535 AB 3056 SB 1336 | | AB 43 SB 1645 AB 2183 AJR 109 | AB 512 SB 815 SB 1980 SB 1489 | AB 1091 SB 535 AB 3056 SB 1336 |
|---|---|---|---|---|---|---|---|
| Agnos (D) | YYYY | YYNY | YYYN | Keysor (D) | YNYY | YN*Y | YYY* |
| Alatorre (D) | YNYY | YYN* | YYYN | Knox (D) | YN*Y | YYNY | YNYN |
| Antonovich (R) | YYNN | NNYN | NNNY | Lancaster (R) | YYNN | *NYN | NNNY |
| Arnett (R) | YYYY | NNYN | NNNY | Lanterman (R) | YY*Y | NYYN | NNNY |
| Bane (D) | YYYY | YYYY | *NY* | Lehman (D) | NYYY | YY*Y | YYNY |
| Bannai (R) | YYNY | NNY* | YNNN | Levine (D) | YNYY | YYNY | YYYN |
| Bates (D) | Y*YY | YYNY | YYYN | Lewis (R) | *YNN | *NYN | *NNY |
| Berman (D) | YNYY | *YNY | YYYN | Lockyer (D) | *NYY | YY*Y | YYYN |
| Boatwright (D) | YYNY | NYNN | *NNN | Maddy (R) | N*YY | NNNY | YYNY |
| Brown (D) | YNYY | NYNY | YNYN | Mangers (D) | YYNY | YNYN | NYNN |
| Calvo (D) | YYYY | YYYY | YYYN | McAlister (D) | YNYY | NNYN | YNYY |
| Chacon (D) | YYNY | NN*Y | YYNN | McCarthy (D) | Y**Y | YYNY | YYYN |
| Chappie (R) | NYNN | NNYN | N*NY | McVittie (D) | YN*Y | Y**Y | YYYN |
| Chel (D) | YNNY | YNYN | YYNY | Mello (D) | Y*YY | YY*Y | YYY* |
| Chimbole (D) | YYNY | NNYN | NNNN | Miller (D) | YNYY | YYNY | YNYN |
| Cline (R) | NYNN | NNYN | NYNY | Montoya (D) | NYYY | NNNN | YNN* |
| Collier (R) | **NN | *NY* | NNNY | Mori (D) | YNYY | YN*Y | YNYN |
| Cordova (D) | Y*NY | YNYN | NYNN | Nestande (R) | YYNY | NN*N | YNYY |
| Craven (R) | YYNN | NNYN | *NNY | Papan (D) | *Y*Y | NNNY | Y*NN |
| Cullen (D) | NYYN | **N* | YNYY | Perino (D) | NYNY | YNYN | YNNY |
| Dannemeyer (R) | YNNN | NNYN | NNNY | Priolo (R) | YYNY | NNYN | YNYY |
| Deddeh (D) | YYNY | YNYN | YNNN | Robinson (D) | YYNY | *YNN | YNYN |
| Dixon (D) | Y*YY | YY*Y | YYYN | Roos (D) | YYYY | YYNY | YYYN |
| Duffy (R) | YNNN | YNYN | NNNY | Rosenthal (D) | YNYY | NYNY | YNY* |
| Egeland (D) | YNYY | YYNY | YYYY | Ryan (R) | NYYY | NN*N | YYYY |
| Ellis (R) | YYNN | NNYN | *NNY | Statham (R) | YYNN | NNYN | NYNY |
| Fazio (D) | YYYY | YYYY | YYYN | Stirling (R) | NYNN | NNYN | NYNY |
| Fenton (D) | NY*Y | YNYY | YYYY | Suitt (D) | YY** | YNYN | Y*NN |
| Gage (D) | YYYY | YYNY | YYYN | Thomas, V. (D) | NY*Y | NNYY | YNNN |
| Goggin (D) | *YYY | YYNY | YYYN | Thomas, W. (R) | NYYN | N*YN | **** |
| Greene (D) | Y*YY | NYYN | YYYN | Thurman (D) | NYNY | NN*N | YNNY |
| Gualco (D) | YNYY | *Y*Y | YNYN | Torres (D) | YN*Y | YYNY | YYYN |
| Hallett (R) | NYNY | YNYN | YNNY | Tucker (D) | YYYY | Y*NY | YYN* |
| Hart (D) | YYYY | YYNY | YYYN | Vasconcellos (D) | YNYY | YYNY | YYYN |
| Hayden (R) | YY*N | YNY* | YNNY | Vicencia (D) | YYYY | NYNY | YYYN |
| Hughes (D) | YYYY | YYNY | YYYN | Waters, M. (D) | YNYY | YYNY | YYYN |
| Imbrecht (R) | NYNY | NNYN | YYNY | Waters, N. (D) | NYYY | YN*Y | NNNN |
| Ingalls (D) | NYNY | NN*N | YNNN | Wornum (D) | YYYY | Y*NN | YYYN |
| Kapiloff (D) | **YY | YYYY | YYYN | Wray (D) | Y**Y | YYYY | YY*N |
| Keene (D) | *NYY | YYYY | YYYN | Young (D) | YYYY | YN*Y | YYNN |

# ROSTRUM

## Debating the debates

While it is easy for devotees of politics and residents of Sacramento to feel saturated with state officials and candidates, the picture is far less clear for residents around the state, recent arrivals in California and new voters. Some people would just like to make up their own minds about the candidates, rather than accept views filtered by print reporters, editors of TV news highlights and hired image-makers.

Does the public already know where the candidates stand? Ed Salzman contends they do ("Campaign '78," *CJ*, September 1978) but disputes this a few paragraphs later when he points out that, "While Younger's commercials were needling Brown about a series of inconsistencies, the Attorney General himself engineered a major change of position on Proposition 7 . . ."

Salzman questions whether debates "in any format" serve a useful purpose in the governor's race this year and asks if these men shouldn't "be judged on their records . . ." However, he calls for debates by candidates for the other statewide offices because the public knows little about the challengers or, for that matter, about the performance of the incumbents. Come on now; if the public doesn't have the basis for judging incumbents on the rest of the slate, does it really know any more about the performance of the incumbent Attorney General than it knew about the incumbent Secretary of State four years ago?

So even in this race there exists the need to know the candidates and to nail down their positions. What more can debates do? We share Salzman's concern that the public needs to know more about those who seek its highest elected offices. The League of Women Voters is committed to filling the need for non-partisan voter information. We believe that this can best be done in the race for governor by hosting a *series* of debates on statewide, prime-time television in which the public hears the candidates clarify their programs, observes them responding to questions and sees them think and talk about the serious issues facing our state.

JOAN RICH,
President
League of Women Voters
of California



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# CHARTING THE LEGISLATURE

The following is a report on the status of significant bills upon adjournment of the Legislature:

| SUBJECT | BILLS | FINAL DISPOSITION |
|---|---|---|
| AGRICULTURE | AB 1900 (Calvo)/SB 193 (Zenovich) establish statewide policy for the preservation and use of prime agricultural lands. | *AB 1900 was defeated by the Senate Natural Resources and Wildlife Committee; SB 193 died in the Assembly Resources, Land Use and Energy Committee.* |
| ALCOHOLIC BEVERAGES | SB 1175 (Foran)/SB 1645 (Ayala) revise liquor liability laws in connection with third party liability; ACA 55 (Papan) lowers the drinking age to 19. | *SB 1175 and SB 1645 are on the Governor's desk. ACA 55 was defeated by the Senate.* |
| BUSING | SCA 46 (Robbins) proposed a constitutional amendment prohibiting the imposition of more stringent state standards for busing. | *Assembly Judiciary Committee refused to set for hearing, but defeated a similar measure, SCA 48. Motion to withdraw SCA 46 from committee failed.* |
| COURT REFORM | SB 1362 (Smith) provides for the mandatory submission of certain civil cases to arbitration; AB 1068 (Fazio) establishes a mechanism for the administrative adjudication of traffic violations; AB 539 (Maddy) creates a simplified divorce procedure. | *All three measures signed by Governor.* |
| CRIMINAL JUSTICE | SB 709 (Presley) revises the Uniform Determinate Sentence Act to lengthen prison sentences for persons committing violent crimes; SB 1479 (Deukmejian) denies probation to persons convicted of rape the first time; SB 1342 (Presley) appropriates $7.6 million for prison facility expansion plans. | *SB 709 signed by Governor. SB 1479 and SB 1342 are on Governor's desk.* |
| EMPLOYMENT | AB 1295 (Bates) would allow employees to appeal employer overtime policies to state labor commissioner; AB 2858 (Agnos) prohibits discrimination against employees for refusing to grant sexual favors. | *Senate Industrial Relations Committee defeated AB 1295. AB 2858 died on Senate floor when Legislature adjourned.* |
| ENVIRONMENT | SB 346 (Ayala) authorizes construction of the Peripheral Canal and other water reservoirs; SB 1015 (Russell) permits construction of the Sundesert nuclear power plant in Southern California. | *Senate defeated conference report on SB 346 twice. Assembly Resources, Land Use and Energy Committee defeated SB 1015, and motion to withdraw bill from committee failed.* |
| GOVERNMENT SPENDING | SCA 42 (Deukmejian)/SCA 61 (Garamendi) proposed limits on government spending. SB 2223 (Gregorio) appropriated additional state funds to finance services provided by special districts and cost-of-living increases for welfare recipients. | *SCA 42 was held in the Assembly Revenue and Taxation Committee. The Senate refused adoption of the conference reports on SCA 61 and SB 2223.* |
| JUDGES | ACA 32 (Dannemeyer)/SCA 23 (Holmdahl) proposed a constitutional amendment requiring Senate confirmation of the governor's appointments to the Supreme Court and courts of appeal. | *Both measures died in the Assembly Judiciary Committee.* |
| NEWS MEDIA | ACA 4 (Lewis) proposes a constitutional amendment prohibiting news reporters from being held in contempt for refusing to disclose news sources; AB 512 (Goggin) prohibits surprise searches of newspaper offices for information related to media stories about criminal activities. | *Legislature adopted ACA 4 and it will appear on the 1980 ballot. AB 512 is on the Governor's desk.* |
| PUBLIC EMPLOYEES | SB 130 (Deukmejian) prohibits public pension plans from requiring an employee to retire prior to age 70; AB 1605 (Gualco) appropriates $37.2 million to increase medical benefits for state employees; AB 2744 (Berman) allows public employees to negotiate agency shop agreements. | *SB 130 signed by Governor. AB 1605 on Governor's desk. AB 2744 was defeated by Senate.* |
| RENTER RELIEF | AB 2848 (Hughes)/AB 2986 (Bates)/SB 2224 (Paul Carpenter) would have required landlords to pass on a portion of their Proposition 13 tax savings to renters. | *All three measures defeated by Senate.* |
| TAXATION | AB 2268 (Ryan) requires annual adjustment of state income tax brackets according to inflation; AB 3802 (Kapiloff) increases state income tax credits and eliminates capital gains tax from the one-time sale of a home; ACA 2 (McCarthy) repeals property taxes on residential property and gives renters a $300 tax credit; SCA 66 (Dills) limits Proposition 13 property tax reduction to residential property. | *AB 2268 died in Senate Finance Committee. AB 3802 was signed by Governor. ACA 2 died in the Senate Revenue and Taxation Committee. SCA 66 was defeated by Senate.* |
| WELFARE | SB 382 (Alquist) provided for state assumption of county general assistance programs. | *Defeated by Assembly Ways and Means Committee.* |

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By Leo Rennert

## The rise and fall of Howard Jarvis

Poor Howard Jarvis! Only a few weeks after becoming the nation's top media star and cult hero, he gets tripped up by those craft politicians he so roundly denounced in his Proposition 13 campaign. Here he was, barely beginning to ride the crest of the California anti-tax wave across the country, when he gets swamped by a bipartisan undertow. Democratic and Republican regulars have at least one thing in common: They abhor pushy outsiders. With Jarvis upstaging them at every turn, they were just waiting for the right moment to let him have it. As soon as he provided an opening, they gleefully stepped in and uncorked their counterpunches. They even asked the Justice Department to investigate him. Those fellows play rough, Howard.

JARVIS HIMSELF provided the ammunition when he sent telegrams to all congressional contenders outlining his new "Freedom for Taxpayers" national crusade. Capitalizing on his California success, Jarvis sought firm commitments from all House and Senate candidates for his plan to cut $100 billion in federal spending and $50 billion in taxes over the next four years. Before the November elections, he declared, the voters would be able to distinguish the "good guys" from the "bad guys." So far, so good. But then, Jarvis went one step further — and slipped on a banana peel.

"If you support the plan," his mailgram declared, "my office will contact you with respect to possible financial assistance in your campaign from the American Tax Reduction Movement, as well as direct mail, radio, TV and newspaper endorsements which will be available to our supporters. In addition, I will make selected personal appearances in behalf of candidates pledged to our plan."

At first blush, these seem fairly innocent words. After all, isn't the whole object of politics to reward one's friends? But Jarvis was careless in his phraseology. His mailgram could be construed as a quid-pro-quo solicitation. In return for an endorsement of his tax-slashing plan, a candidate could get himself some campaign money and other supportive services. Some enthusiastic prosecutor — and there are many these days — might conclude that Jarvis was out to buy the 96th Congress. Never mind that many other groups in the country may have the same aim; if you do it too crudely or conspicuously you can get hit with a bribery rap. Particularly if you're a fellow like Jarvis, who's considered a political poacher and troublemaker.

The reaction was quick. Republican National Chairman Bill Brock who worries that Jarvis may be stealing the GOP's thunder on the tax-cutting issue, advised his party's congressional candidates to beware of gifts in suspicious wrapping. Democrats, who are scrambling to become born-again tax-cutters, assured Jarvis they're with him all the way in spirit, but couldn't possibly accept his filthy lucre. And at a time when $1 million congressional races are becoming fairly common, there was a bipartisan outcry of self-righteous amazement that Jarvis might put a few shekels into the coffers of compliant candidates.

Fresno Democratic Congressman John Krebs, picturing himself as somewhere to the right of Jarvis, wired back that he was in "general agreement" with the tax-cut plan but insisted it would be "highly unethical, if not outright illegal" to accept Jarvis' support in exchange for subscribing to his manifesto. To avoid any possible legal or political infection, Krebs immediately sent the Jarvis mailgram to the Justice Department. Democrat Leon Panetta of Monterey also said he was on the same fiscal track as Jarvis "out of good conscience" but declined his endorsement "for ethical reasons."

Another Californian, James Corman, chairman of the Democratic Congressional Campaign Committee, which is not above raising money from lobbyists, lashed out at Jarvis' attempt to "bribe public officials" and urged his colleagues to "crush" such a "blatant effort to coerce candidates." On the GOP side of the delegation, Bob Badham, an admitted supporter of Proposition 13 and other tax-cutting schemes, joined the anti-Jarvis chorus. "I never base my decisions on issues on (the) possibility or probability of campaign support," Badham said, with what appeared to be a straight face. Democrat John Burton of San Francisco advised Jarvis of his earnest concern that "your political enemies might attempt to bring charges alleging possible bribery." To soothe the hurt, Burton enclosed a $5 check and told Jarvis: "I wish it could be more, but my wife insists on a balanced budget at home just as I work for a balanced federal budget."

The Jarvis camp, staffed by a cadre of sharp and savvy promoters, kept its cool. Jim Lacy, Jarvis' administrative assistant, predicted that any Justice Department crackdown was "highly unlikely." But just to be on the safe side, the last batch of mailgrams to congressional candidates was reworded to erase any direct quid-pro-quo implication. Lacy denounced Krebs and other critics as "typical hack politicians who used a cheap shot against Jarvis to get their names in the papers." He also took a poke at the national GOP high command for looking at Jarvis as an intruder instead of a welcome helper. The entire episode could push Jarvis into the arms of Ronald Reagan. Both now have been zapped by the Republican National Committee for their go-it-alone tendencies.

JARVIS IS PROCEEDING with plans to raise $12 million for his national crusade. He is gearing up to exert political pressure not just this fall but also in 1980 when he may endorse a presidential ticket. While still projecting a simple, folksy man-of-the-people image, he's really not creating a mass movement but a promotional organization tightly controlled by a few people. Accountability to contributors will be interesting to watch. During his last visit to Washington, Jarvis basked in the glow of national publicity. In sharp contrast to the spartan habits of his new pupil, the Governor of California, he zipped through town in a flashy black limousine and enjoyed the epicurean delights of Georgetown. (Eat your heart out, Jerry Brown.) He is being organized, merchandised and computerized by a growing army of media experts and publicity consultants.

Jarvis' enemies may not be able to hurt him. His success, however, could.



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*SIMPLE SOLUTIONS TO THOSE CHRISTMAS-GIFT PROBLEMS:*

# Subscriptions and Books

## *from the* California Journal

We hate to bring up the subject even before Halloween, but this is the time to start thinking about what to send those far-flung friends and relatives for Christmas this year. May we suggest a gift that is informative, educational and perhaps even entertaining? What we're suggesting, of course, is a gift subscription to the *California Journal*. It's the ideal present for anyone interested in California politics and government. And it keeps coming 12 months a year.

We will send a card to the recipient informing him or her of your thoughtfulness. For each gift subscription, send your check for $15 ($3 off the regular annual rate) or your Visa or Master Charge number to our subscription department at 1617 10th St., Sacramento 95814. If you prefer, we'll bill you.

If your friends and relatives already subscribe to the *Journal* or if the magazine just isn't right for them, here's another suggestion: a great gift book—*The Cartoon History of California Politics*, by Ed Salzman and Ann Leigh Brown. This lively, 156-page book contains more than 100 cartoons illustrating California's political history. It is offered to *Journal* readers at a special price: $5.25, including tax.

Send orders for the book to *California Journal Press*, 1617 10th St., Sacramento 95814. (For a listing of other books available from the *CJ Press*, see the advertisement and the tear-out card inside this issue.)

***A politician thinks of the next election; a statesman, of the next generation.***

**— James Freeman Clarke**

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